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 LIVERAMP, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

CHRISTINE RIGANIAN and DONNA  
 SPURGEON, *on behalf of themselves and all*  
*others similarly situated,*

Plaintiff,

v.

LIVERAMP HOLDINGS, INC., and  
 LIVERAMP, INC. *corporations organized under*  
*the laws of the State of Delaware,*

Defendants.

) Case No.: 4:25-cv-824-JST  
 )  
 ) **DEFENDANTS' ANSWER TO FIRST**  
 ) **AMENDED CLASS ACTION**  
 ) **COMPLAINT**  
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1 **COME NOW** Defendants LIVERAMP HOLDINGS, INC., and LIVERAMP, INC.  
 2 (collectively “Defendants”), by and through their attorneys, and state the following as and for  
 3 their Answer to the First Amended Class Action Complaint (“FAC”).

4 Defendants include, for convenience only, the headings, subheadings, and numbered  
 5 paragraphs listed in Plaintiffs Christine Riganian and Donna Spurgeon’s (“Plaintiffs”) FAC.  
 6 Defendants nonetheless expressly deny and disclaim the characterizations in Plaintiffs’ headings,  
 7 subheadings, and numbered paragraphs and deny any allegations implicit in their terms.  
 8 Defendants expressly reserve, and do not waive, the right to amend and supplement this Answer.  
 9 Defendants deny Plaintiffs’ characterization of LiveRamp Holdings, Inc. and LiveRamp, Inc.  
 10 collectively as “LiveRamp” throughout Plaintiffs’ FAC. Defendants interpret and use the term  
 11 “LiveRamp” to refer to LiveRamp, Inc. throughout Defendants’ Answer. LiveRamp Holdings,  
 12 Inc. is a holding company only and does not engage in any of the conduct challenged in the  
 13 Complaint. For the avoidance of doubt, Defendants deny each and every conclusory and/or  
 14 argumentative characterization, and allegation, to the extent it suggests that LiveRamp Holdings,  
 15 Inc. has engaged in the conduct at issue in this case. Where an allegation in the FAC is directed  
 16 at a third party that is not affiliated with Defendants, except as otherwise expressly stated,  
 17 Defendants deny the allegations set forth in the FAC on the basis that they deny the knowledge  
 18 or information sufficient to form a belief concerning the truth of such allegations. Defendants  
 19 incorporate the foregoing by reference into each of the following specific responses to each  
 20 allegation of the FAC.

## 21 **I. INTRODUCTION**

22 1. The allegations of the first sentence of Paragraph 1 are argumentative, vague, and  
 23 assume facts not in evidence and on that basis Defendants deny the allegations of that sentence.  
 24 Defendants respond that LiveRamp operates separate online and offline identity graphs;<sup>1</sup> that a  
 25 RampID is a pseudonymous identifier used in LiveRamp’s online identity graph to which online  
 26 identifiers can be associated; and that LiveRamp in some cases conducts a one-way translation of

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27 <sup>1</sup> For purposes of clarity, Defendants use the term “identity graph” to mean a data structure  
 28 that maps relationships between various identifiers.

1 offline identifiers into a RampID through a double hashing and salting process. Defendants  
2 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
3 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
4 Paragraph 1.

5       2. Paragraph 2 contains one or more legal conclusions as to which no response is  
6 necessary. To the extent a response is deemed necessary, Defendants deny the argumentative,  
7 vague, and conclusory allegations and characterizations of Paragraph 2. Defendants affirmatively  
8 state that LiveRamp's products and services are privacy-centric. Defendants affirmatively state  
9 that under the California and Oregon Consumer Privacy Acts, like those of many other  
10 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
11 category) to the processing and sale of their personally identifiable information and, in  
12 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
13 rights. Defendants further affirmatively state that individuals have numerous options to opt out of  
14 the processing and sale of personal information (including services that will submit these  
15 requests on behalf of the individual) and tools such as browser extensions and plug-ins to modify  
16 how or to what extent information is collected and processed, and that, as evidenced by one of  
17 the articles upon which Plaintiffs rely in their FAC,<sup>2</sup> these options have been widely available  
18 since at least 2018. To the extent that the allegations of Paragraph 2 relate to third parties to this  
19 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
20 these allegations and, therefore, deny the allegations. Except as expressly admitted, Defendants  
21 deny the allegations and conclusory characterizations of Paragraph 2.

22       3. Defendants admit that LiveRamp, Inc. maintains databases that contain  
23 information such as postal addresses, phone numbers, email addresses, and electronic device and  
24 smartphone identifiers (such as mobileIDs) for certain people. Defendants further admit that part  
25 of LiveRamp's business includes inferring certain connections between these pieces of  
26

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27       <sup>2</sup> Max Eddy, *How Companies Turn Your Data Into Money*, PC MAG (Oct. 10, 2018),  
28 <https://www.pcmag.com/news/how-companies-turn-your-data-into-money>  
[\[https://perma.cc/2399-5464\]](https://perma.cc/2399-5464).

1 information and that LiveRamp may associate these pieces of information with pseudonymized  
2 identifiers—identifiers that replace identifiable personal data with alias values, or pseudonyms—  
3 that keep information private. Defendants deny Plaintiffs’ characterization of pseudonymization  
4 and deny that LiveRamp permits retrieval of “comprehensive identifying profile(s)” on any  
5 individual. Defendants affirmatively state that LiveRamp’s products and services are privacy-  
6 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
7 characterizations of Paragraph 3.

8         4. To the extent that the allegations of Paragraph 4 relate to third parties to this  
9 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
10 these allegations and, therefore, deny the allegations. Defendants admit that third parties can  
11 transact with each other to license lists of pseudonymous identifiers compiled by sellers, on the  
12 Data Marketplace. Footnote 1 of the FAC purports to quote from a document. Defendants admit  
13 that the quote appears in the quoted source and respectfully refer the Court to the document itself  
14 for its full context and substance. Defendants deny that Plaintiffs’ selective quotations are  
15 complete or provide full context and deny Plaintiffs’ characterization thereof. Defendants  
16 affirmatively state that LiveRamp’s products and services are privacy-centric. Except as  
17 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
18 Paragraph 4 and its footnote(s).

19         5. To the extent that the allegations of Paragraph 5 relate to third parties to this  
20 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
21 these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
22 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
23 deny the allegations and conclusory characterizations of Paragraph 5 and its footnote(s).

24         6. Defendants admit that LiveRamp believes that it maintains the largest and most  
25 accurate people-based identity graphs on the market today. Defendants admit that, through the  
26 offline and online identity graphs, LiveRamp links certain offline information (such as name,  
27 postal address, and phone number) to AbiliTecIDs and online identifiers (such as mobileIDs and  
28 device IDs) to pseudonymized identifiers called RampIDs. The last sentence of paragraph 6

1 purports to quote an article cited in footnote 5 of the FAC. Defendants admit that the quoted  
2 language appears in that article but respectfully refer the Court to that article itself. Defendants  
3 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
4 characterization thereof. Defendants deny that the quoted source accurately or completely  
5 characterizes the relevant conduct, including the characterization that LiveRamp operates a  
6 "shadow identity system." Defendants affirmatively state that LiveRamp's products and services  
7 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
8 conclusory characterizations of Paragraph 6 and its footnote(s).

9         7. Defendants deny the allegations of the first and second sentences of Paragraph 7.  
10 Defendants admit that LiveRamp operates a Data Marketplace platform on which third parties  
11 can transact with each other for buyers to license the right to use lists identifiers, compiled by  
12 sellers, for purposes of online ad delivery. Defendants affirmatively state that LiveRamp's  
13 products and services are privacy-centric and deny Paragraph 7 to the extent that it suggests  
14 otherwise. To the extent that the allegations of Paragraph 7 relate to third parties to this action,  
15 Defendants deny knowledge or information sufficient to form a belief as to the truth of these  
16 allegations and, therefore, deny the allegations. Defendants otherwise deny the allegations of the  
17 third sentence of Paragraph 7, including the allegation that Defendants are sellers on the Data  
18 Marketplace. Regarding the allegations of the fourth sentence, because LiveRamp acts solely as  
19 a data processor for segments on Data Marketplace, sellers are responsible for naming their  
20 segments and Defendants lack sufficient knowledge to admit or deny allegations relating to the  
21 contents of segments on the Data Marketplace, and on that basis deny them. Additionally, as to  
22 footnote 7, Defendants deny knowledge or information sufficient to form a belief as to the  
23 authenticity or veracity of the spreadsheet cited in the footnote and on that basis denies the same.  
24 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
25 as expressly admitted, Defendants deny the allegations and conclusory characterizations  
26 Paragraph 7 and its footnote(s).

27         8. Defendants admit that LiveRamp uses the term "identity resolution" to refer to the  
28 process of linking distinct pieces of non-sensitive identifying information (e.g., name, address,

1 phone number, email, mobile device ID) through its identity graphs. Defendants affirmatively  
2 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
3 Defendants deny the allegations and conclusory characterizations of Paragraph 8.

4 9. Paragraph 9 contains one or more legal conclusions as to which no response is  
5 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
6 vague, and conclusory allegations and characterizations of Paragraph 9. Defendants affirmatively  
7 state that individuals have numerous options to opt out of the processing and sale of personal  
8 information (including services that will submit these requests on behalf of the individual) and  
9 that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what  
10 extent information is collected and processed have been widely available. Defendants further  
11 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
12 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
13 applicable data category) to the processing and sale of their personally identifiable information  
14 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
15 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
16 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
17 characterizations of Paragraph 9.

18 10. Defendants deny the argumentative, vague, and conclusory allegations and  
19 characterizations of Paragraph 10. Defendants affirmatively state that individuals have numerous  
20 options to opt out of the processing and sale of personal information (including services that will  
21 submit these requests on behalf of the individual) and that, since at least 2018, tools such as  
22 browser extensions and plug-ins to modify how or to what extent information is collected and  
23 processed have been widely available. Defendants further affirmatively state that under the  
24 California and Oregon Consumer Privacy Acts, like those of many other states, consumers have  
25 the right to opt-out (or opt-in, depending on the law and applicable data category) to the  
26 processing and sale of their personally identifiable information and, in accordance with the laws,  
27 LiveRamp provides mechanisms for consumers to exercise those rights. Defendants  
28 affirmatively state that LiveRamp's products and services are privacy-centric. Except as

1 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
2 Paragraph 10.

3 11. Defendants deny the allegations and conclusory characterizations of Paragraph  
4 11, except that Defendants admit that the article cited in footnote 8 of the FAC contains the  
5 argumentative, sensational characterization quoted in Paragraph 11. Defendants admit that the  
6 quoted language appears in that article but respectfully refer the Court to that article itself for its  
7 full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or  
8 provide full context and deny Plaintiffs' characterization thereof. Defendants deny that the  
9 quoted source accurately or completely characterizes the relevant conduct, including the  
10 characterization that LiveRamp "is like a stalker" and that it "sells this stalking ability to many  
11 other companies." Defendants affirmatively state that LiveRamp's products and services are  
12 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
13 characterizations of Paragraph 11 and its footnote(s).

14 12. Defendants lack sufficient knowledge to admit or deny the allegations of the first  
15 and second sentences of Paragraph 12 which purport to describe the individual Plaintiffs' goals  
16 and concerns and on that basis deny them. To the extent that Paragraph 12 alleges that  
17 Defendants violate Plaintiffs' privacy or autonomy, that Defendants' conduct is unlawful, or that  
18 Defendants have caused Plaintiffs any harm, Defendants deny those allegations and conclusory  
19 characterizations. The third sentence of Paragraph 12 consists of legal conclusions to which no  
20 response is required. To the extent any response is required, Defendants deny the allegations and  
21 conclusory characterizations of the third sentence Paragraph 12. Except as expressly admitted,  
22 Defendants deny the allegations and conclusory characterizations of Paragraph 12.

## 23 **II. PLAINTIFFS**

24 13. Plaintiff Christina Riganian Defendants lack sufficient knowledge to admit or  
25 deny the allegations of Paragraph 13 and on that basis deny them. Defendants deny that members  
26 of modern society "must" use the internet to manage the routine affairs of daily life. Defendants  
27 further deny the unsupported conclusory allegations in the second sentence of Paragraph 13.  
28



1 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
2 of Paragraph 13.

3 **A. LiveRamp’s Comprehensive Identity Profile on Plaintiff Riganian**

4 14. Defendants admit that LiveRamp provided a SAR report for a person with the  
5 name Christina Riganian on or about September 13, 2024, that the SAR contained 18  
6 spreadsheets, and that certain of the files have the listed titles. The SAR speaks for itself and  
7 Defendants deny Plaintiffs’ conclusory and sensational mischaracterizations of LiveRamp’s  
8 actions and intentions in Paragraph 14 and its footnotes, including footnote 11 of the FAC, and  
9 respectfully refer the Court to the document for full context and substance thereof. Defendants  
10 deny the allegations and conclusory characterizations of footnote 9 of the FAC to the extent they  
11 characterize the SAR cited in Paragraph 14 or LiveRamp’s conduct as privacy invasive.  
12 Defendants do not know what Plaintiffs mean by “identity profile,” and on that basis deny the  
13 allegation, and further denys that the information it has about Plaintiffs is “massive” or  
14 “comprehensive.” Defendants otherwise lack sufficient knowledge to admit or deny the  
15 allegations of Paragraph 14 and on that basis deny them. Defendants affirmatively state that  
16 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
17 deny the allegations and conclusory characterizations of Paragraph 14 and its footnote(s).

18 15. Defendants deny the allegations and conclusory characterizations of Paragraph  
19 15, except that Defendants admit that the SAR contains additional files not explicitly mentioned  
20 in Paragraph 14(a)-(g). Except as expressly admitted, Defendants deny the allegations and  
21 conclusory characterizations of Paragraph 15.

22 16. Defendants deny the allegations and conclusory characterizations of Paragraph  
23 16, except that Defendants admit that the SAR provided to Plaintiff Riganian included RampIDs.  
24 Defendants affirmatively state that individuals have numerous options to opt out of the  
25 processing and sale of personal information (including services that will submit these requests on  
26 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
27 ins to modify how or to what extent information is collected and processed have been widely  
28 available. Defendants further affirmatively state that under the California and Oregon Consumer



1 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
2 depending on the law and applicable data category) to the processing and sale of their personally  
3 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
4 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
5 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
6 conclusory characterizations of Paragraph 16.

7 17. Defendants admit that LiveRamp may receive social security numbers and license  
8 data a result of LiveRamp's licenses of data from other sources, and that LiveRamp uses that  
9 information for identity resolution. Defendants admit LiveRamp has associated a social security  
10 number and a driver's license number with the name Christina Riganian. The second sentence of  
11 Paragraph 17 acknowledges that LiveRamp uses this data "internally for identity resolution  
12 purposes" and purports to quote from a document generated by LiveRamp. Defendants admit  
13 that the quote appears in the quoted source and respectfully refer the Court to the article itself for  
14 its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete  
15 or provide full context and deny Plaintiffs' characterization thereof. Further, Defendants  
16 affirmatively state that individuals have numerous options to opt out of the processing and sale  
17 of personal information (including services that will submit these requests on behalf of the  
18 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
19 how or to what extent information is collected and processed have been widely available.  
20 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
21 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
22 on the law and applicable data category) to the processing and sale of their personally  
23 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
24 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
25 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
26 conclusory characterizations of Paragraph 17 and its footnote(s).

1                   1.       **LiveRamp's Interception and Use of Plaintiff Riganian's Online**  
2                   **Browsing Activity**

3                   18.       Paragraph 18 contains one or more legal conclusions as to which no response is  
4 necessary. To the extent a response is deemed necessary, Defendants deny the argumentative,  
5 vague, and conclusory allegations and characterizations Paragraph 18. Defendants affirmatively  
6 state that individuals have numerous options to opt out of the processing and sale of personal  
7 information (including services that will submit these requests on behalf of the individual) and  
8 that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what  
9 extent information is collected and processed have been widely available. Defendants further  
10 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
11 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
12 applicable data category) to the processing and sale of their personally identifiable information  
13 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
14 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
15 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
16 characterizations of Paragraph 18.

17                   19.       Defendants deny the argumentative, vague, and conclusory allegations and  
18 characterizations of Paragraph 19. Defendants affirmatively state that LiveRamp's products and  
19 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
20 conclusory characterizations of Paragraph 19.

21                   20.       Defendants deny the allegations and conclusory characterizations of the first  
22 sentence of Paragraph 20. Defendants deny that any software or technology used by LiveRamp  
23 constitutes a "tracking mechanism." Defendants admit that certain websites placed "pixels" or  
24 JavaScript code provided by LiveRamp on their websites and that websites may have placed  
25 "cookies" on browsers. Defendants deny that Paragraphs 74-79 accurately describe the operation  
26 of those tools and incorporate their responses to Paragraphs 74-79 below. Defendants  
27 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
28

1 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
2 Paragraph 20.

3 21. Paragraph 21 contains one or more legal conclusions as to which no response is  
4 necessary. To the extent a response is deemed necessary, Defendants deny the allegations and  
5 conclusory characterizations of Paragraph 21, except that Defendants admit that LiveRamp has  
6 offline, online, and other pseudonymized information (such as names, postal addresses, phone  
7 numbers, email addresses, and device identifiers) stored separately in its offline and online  
8 identity graphs that could be related to Plaintiff Riganian, and admit that LiveRamp may have  
9 provided certain services to customers using that information. Defendants affirmatively state that  
10 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
11 deny the allegations and conclusory characterizations of Paragraph 21.

12 22. Defendants lack sufficient knowledge to admit or deny the allegations of  
13 Paragraph 22 and on that basis deny them. The information referenced in this paragraph is based  
14 not on Plaintiffs' SAR but on Plaintiffs' uncorroborated allegations about Plaintiff Riganian's  
15 web browsing activities. Defendants deny the allegations and conclusory characterizations of  
16 footnote 14 of the FAC to the extent they characterize LiveRamp's conduct as privacy invasive.  
17 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
18 of Paragraph 22 and its footnote(s).

19 23. Paragraph 23 contains one or more legal conclusions as to which no response is  
20 necessary. To the extent a response is deemed necessary, Defendants admit that CVS deploys  
21 LiveRamp's eCST (enhanced client-side tag) on CVS.com on behalf of CVS to allow CVS to  
22 collect data for its own purposes. LiveRamp acts solely as a data processor with respect to  
23 information collected through this eCST and does not use the data for its own purposes.  
24 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
25 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
26 Paragraph 23.

27 24. Defendants deny the allegations and conclusory characterizations of Paragraph  
28 24. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

1           25. Paragraph 25 contains one or more legal conclusions as to which no response is  
2 necessary. To the extent a response is deemed necessary, Defendants deny the allegations and  
3 conclusory characterizations of Paragraph 25. LiveRamp acts solely as a data processor with  
4 respect to information collected through eCSTs and does not use the data for its own purposes,  
5 including for the purposes of creating “segments” or “categories” or of enriching data sets that  
6 LiveRamp has compiled. To the extent that the allegations of Paragraph 25 relate to third parties  
7 to this action, Defendants deny knowledge or information sufficient to form a belief as to the  
8 truth of these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
9 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
10 deny the allegations and conclusory characterizations of Paragraph 25.

11           26. Defendants deny that any software or technology used by LiveRamp constitutes a  
12 “tracking mechanism.” Defendants lack sufficient knowledge to admit or deny what websites  
13 Plaintiff Riganian visited and on that basis deny the description of Plaintiff Riganian’s web  
14 browsing activity in Paragraph 26. Defendants affirmatively state that LiveRamp’s products and  
15 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
16 conclusory characterizations of Paragraph 26.

17           27. Defendants deny that any software or technology used by LiveRamp constitutes a  
18 “tracking mechanism” and deny that cookies are stored on devices. Defendants further lack  
19 sufficient knowledge to admit or deny the presence of cookies on unspecified devices associated  
20 with Plaintiff Riganian on that basis deny the description of Plaintiff Riganian’s devices and the  
21 cookies present on those devices. Defendants deny the allegations and conclusory  
22 characterizations of footnote 15 of the FAC to the extent they characterize LiveRamp’s conduct  
23 as privacy invasive. Defendants affirmatively state that LiveRamp’s products and services are  
24 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
25 characterizations of Paragraph 27 and its footnote(s).

26           28. Defendants deny the first sentence of Paragraph 28. The second sentence of  
27 Paragraph 28 purports to quote from LiveRamp Holdings, Inc.’s Form 10-K for the Fiscal Year  
28 ending March 31, 2021. Defendants admit that the quote appears in the quoted source and

respectfully refer the Court to the document itself for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof. To the extent that the allegations of the third sentence of Paragraph 28 relate to Plaintiff Riganian's purported knowledge, Defendants deny knowledge or information sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations. Further, Defendants affirmatively state that individuals have numerous options to opt out of the processing and sale of personal information (including services that will submit these requests on behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what extent information is collected and processed have been widely available. Defendants further affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data category) to the processing and sale of their personally identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 28 and its footnote(s).

**B. Plaintiff Donna Spurgeon**

29. Defendants lack sufficient knowledge to admit or deny the allegations of Paragraph 29 and on that basis deny them. Defendants deny that members of modern society "must" use the internet to manage the routine affairs of daily life. Defendants further deny the unsupported conclusory characterizations in the second sentence of Paragraph 29. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 29.

**1. LiveRamp's Comprehensive Identity Profile on Plaintiff Spurgeon**

30. Defendants admit that LiveRamp provided a SAR report for a person with the name Donna Spurgeon on or about January 12, 2024, that the SAR contained 9 excel spreadsheets, and that certain of the files have the listed titles. Defendants do not know what Plaintiffs mean by "identity profile," and on that basis deny the allegation and further deny that

1 the information it has about Plaintiffs is “massive” or “comprehensive.” The SAR speaks for  
2 itself and Defendants deny Plaintiffs’ conclusory, sensational mischaracterizations of  
3 LiveRamp’s actions and intentions and respectfully refer the Court to the document for its full  
4 context and substance. Defendants deny the allegations and conclusory characterizations of  
5 footnote 17 of the FAC to the extent they characterize the SAR cited in Paragraph 30 or  
6 LiveRamp’s conduct as privacy invasive. Defendants do not know what Plaintiffs mean by  
7 “identity profile,” and on that basis deny the allegation, and further deny that the information it  
8 has about Plaintiffs is “massive” or “comprehensive.” Defendants otherwise lack sufficient  
9 knowledge to admit or deny the allegations of Paragraph 30 and on that basis deny them.  
10 Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except  
11 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
12 Paragraph 30 and its footnote(s).

13 31. Defendants deny the allegations and conclusory characterizations of Paragraph  
14 31, except that Defendants admit that the SAR provided to Donna Spurgeon included a RampID.  
15 Defendants affirmatively state that individuals have numerous options to opt out of the  
16 processing and sale of personal information (including services that will submit these requests on  
17 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
18 ins to modify how or to what extent information is collected and processed have been widely  
19 available. Defendants further affirmatively state that under the California and Oregon Consumer  
20 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
21 depending on the law and applicable data category) to the processing and sale of their personally  
22 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
23 consumers to exercise those rights. Defendants affirmatively state that LiveRamp’s products and  
24 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
25 conclusory characterizations of Paragraph 31.

26 32. Defendants admit that LiveRamp licenses from other sources social security  
27 numbers and license data, uses those pieces of information for a process it refers to as identity  
28 resolution, and that LiveRamp has associated a social security number and a driver’s license

number with the name Donna Spurgeon. The second sentence of Paragraph 32 acknowledges that LiveRamp uses this data “internally for identity resolution purposes” and purports to quote from a document generated by LiveRamp. Defendants admit that the quote appears in the quoted source and respectfully refer the Court to the article itself for its full context and substance. Defendants deny that Plaintiffs’ selective quotations are complete or provide full context and deny Plaintiffs’ characterization thereof. Further, Defendants affirmatively state that individuals have numerous options to opt out of the processing and sale of personal information (including services that will submit these requests on behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what extent information is collected and processed have been widely available. Defendants further affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data category) to the processing and sale of their personally identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those rights. Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 32 and its footnote(s).

2. **LiveRamp’s Interception and Use of Plaintiff Spurgeon’s Online Browsing Activity**

33. Paragraph 33 contains one or more legal conclusions as to which no response is necessary. To the extent a response is deemed necessary, Defendants deny the argumentative, vague, and conclusory allegations and characterizations of Paragraph 33. To the extent that the allegations of Paragraph 33 relate to third parties to this action, Defendants deny knowledge or information sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations. Defendants affirmatively state that individuals have numerous options to opt out of the processing and sale of personal information (including services that will submit these requests on behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what extent information is collected and processed



1 have been widely available. Defendants further affirmatively state that under the California and  
2 Oregon Consumer Privacy Acts, like those of many other states, consumers have the right to opt-  
3 out (or opt-in, depending on the law and applicable data category) to the processing and sale of  
4 their personally identifiable information and, in accordance with the laws, LiveRamp provides  
5 mechanisms for consumers to exercise those rights. Defendants affirmatively state that  
6 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
7 deny the allegations and conclusory characterizations of Paragraph 33.

8         34. Defendants deny the argumentative, vague, and conclusory allegations and  
9 characterizations of Paragraph 34. Defendants affirmatively state that LiveRamp's products and  
10 services are privacy-centric.

11         35. Defendants deny the allegations and conclusory characterizations of the first  
12 sentence of Paragraph 35. Defendants deny that any software or technology used by LiveRamp  
13 constitutes a "tracking mechanism." Defendants admit that certain websites placed "pixels" or  
14 JavaScript code provided by LiveRamp on their websites and that websites may have placed  
15 "cookies" on browsers. Defendants deny that Paragraphs 74-79 accurately describe the operation  
16 of those tools and incorporate their responses to Paragraphs 74-79 below. Defendants  
17 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
18 expressly admitted, Defendants deny the allegations and conclusory characterizations of the  
19 second sentence of Paragraph 35.

20         36. Paragraph 36 contains one or more legal conclusions as to which no response is  
21 necessary. To the extent a response is deemed necessary, Defendants deny the allegations and  
22 conclusory characterizations of Paragraph 36, except that Defendants admit that LiveRamp has  
23 offline, online, and other pseudonymized information (such as names, postal addresses, phone  
24 numbers, email addresses, and device identifiers) stored separately in its offline and online  
25 identity graphs that could be related to Plaintiff Spurgeon, and admit that LiveRamp may have  
26 provided certain services to its customers using that information. Defendants affirmatively state  
27 that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
28 Defendants deny the allegations and conclusory characterizations of Paragraph 36.

1           37. Defendants deny that any software or technology used by LiveRamp constitutes a  
2 “tracking mechanism.” Defendants lack sufficient knowledge to admit or deny what websites  
3 Plaintiff Spurgeon visited and on that basis deny the description of Plaintiff Spurgeon’s web  
4 browsing activity in Paragraph 37. Defendants affirmatively state that LiveRamp’s products and  
5 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
6 conclusory characterizations of Paragraph 37.

7           38. Defendants deny the allegations and conclusory characterizations of Paragraph  
8 38, including the allegation that Defendants are sellers on the Data Marketplace, except that  
9 Defendants admit that LiveRamp operates Data Marketplace, that buyers and sellers can transact  
10 to license the right to use data segments through Data Marketplace and that Data Marketplace is  
11 pseudonymized using (among other tools) RampIDs and that, with regard to the second sentence  
12 of Paragraph 38, the quoted language appears in LiveRamp Holdings, Inc.’s Form 10-K for the  
13 Fiscal Year ending March 31, 2021. Defendants respectfully refer the Court to the document  
14 itself for its full context and substance. Defendants deny that Plaintiffs’ selective quotations are  
15 complete or provide full context and deny Plaintiffs’ characterization thereof. Further,  
16 Defendants affirmatively state that individuals have numerous options to opt out of the  
17 processing and sale of personal information (including services that will submit these requests on  
18 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
19 ins to modify how or to what extent information is collected and processed have been widely  
20 available. Defendants further affirmatively state that under the California and Oregon Consumer  
21 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
22 depending on the law and applicable data category) to the processing and sale of their personally  
23 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
24 consumers to exercise those rights. Defendants affirmatively state that LiveRamp’s products and  
25 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
26 conclusory characterizations of Paragraph 38.

1 **III. DEFENDANTS**

2 39. Defendants admit that LiveRamp Holdings, Inc. is a United States public  
3 corporation incorporated under the laws of the State of Delaware. Defendants admit that  
4 LiveRamp Holdings, Inc.'s principal place of business is 225 Bush Street, 17th Floor, San  
5 Francisco, California 94104. Defendants admit that LiveRamp Holdings, Inc. is the parent  
6 company of LiveRamp, Inc. Except as expressly admitted, Defendants deny the allegations and  
7 conclusory characterizations of Paragraph 39 and its footnote(s).

8 40. Defendants admit that LiveRamp, Inc. is a wholly owned subsidiary of LiveRamp  
9 Holdings, Inc.; that LiveRamp, Inc. is incorporated in Delaware; that LiveRamp, Inc. is registered  
10 with the State of California as a "data broker" under California Civil Code § 1798.99.80; that  
11 LiveRamp, Inc.'s principal place of business is 225 Bush Street, 17th Floor, San Francisco,  
12 California 94104. Defendants respond that the Corporate Disclosure Statement and Certificate of  
13 Interested Entities or Persons by LiveRamp Holding, Inc. (Dkt. 19), speaks for itself and  
14 respectfully refer the Court to the document for the substance thereof. Except as expressly  
15 admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 40.

16 **IV. JURISDICTION AND VENUE**

17 41. Paragraph 41 contains legal conclusions to which no response is required. To the  
18 extent any response is required, Defendants deny the allegations of Paragraph 41.

19 42. Paragraph 42 contains legal conclusions to which no response is required. To the  
20 extent any response is required, Defendants deny the allegations of Paragraph 42.

21 43. Paragraph 43 contains legal conclusions to which no response is required. To the  
22 extent any response is necessary, Defendants deny the allegations of Paragraph 43, including the  
23 allegation that Plaintiffs' claims arise from LiveRamp's conduct in California.

24 44. Paragraph 44 contains legal conclusions to which no response is required. To the  
25 extent any response is necessary Defendants deny the allegations of Paragraph 44, including the  
26 allegation that the events or omissions giving rise to Plaintiffs' claims occurred in this District.  
27  
28

1 **V. CHOICE OF LAW**

2 45. Paragraph 45 contains legal conclusions to which no response is required. To the  
3 extent any response is required, Defendants deny the allegations of Paragraph 45.

4 46. Paragraph 46 contains one or more legal conclusions as to which no response is  
5 required. To the extent a response is deemed necessary, Defendants admit that LiveRamp, Inc.'s  
6 and LiveRamp Holdings, Inc.'s principal places of business are 225 Bush Street, 17th Floor, San  
7 Francisco, California 94104. Defendants admit that LiveRamp, Inc. is registered as a data broker  
8 in accordance with the definition of that term under California law. Except as expressly admitted,  
9 Defendants deny the allegations of Paragraph 46.

10 47. Defendants deny the allegations and conclusory characterizations of Paragraph  
11 47. Defendants affirmatively state that LiveRamp's products and services are privacy-centric..

12 48. Paragraph 48 contains one or more legal conclusions as to which no response is  
13 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
14 conclusory characterizations of Paragraph 48. Defendants affirmatively state that LiveRamp's  
15 products and services are privacy-centric.

16 49. Paragraph 49 contains legal conclusions to which no response is required. To the  
17 extent any response is required, Defendants deny the allegations of Paragraph 49.

18 **VI. DIVISIONAL ASSIGNMENT**

19 50. Paragraph 50 contains legal conclusions to which no response is required. To the  
20 extent any response is required, Defendants deny the allegations of Paragraph 50.

21 **VII. STATEMENT OF FACTS**

22 **A. LiveRamp Collects, Buys, and Analyzes Vast Amounts of On- and Offline**  
23 **Data to Track Individual Consumers Everywhere on the Internet and in the**  
**Real World.**

24 51. Defendants admit that LiveRamp, Inc. is registered as a "data broker" in  
25 California in accordance with the California law definition of that term; that LiveRamp  
26 Holdings, Inc. is registered as a "data broker" in certain other states in accordance with the  
27 definition of that term under the laws of those certain states; and that LiveRamp Holdings, Inc.  
28 was formerly known as Acxiom Holdings, Inc. The remaining allegations of Paragraph 51 are

1 legal conclusions to which no response is required. To the extent a response is required,  
2 Defendants deny the allegations. Except as expressly admitted, Defendants deny the allegations  
3 and conclusory characterizations of Paragraph 51 and its footnote(s).

4 52. Defendants deny the allegations and conclusory characterizations of the first  
5 sentence of Paragraph 52. Defendants admit that LiveRamp, Inc. facilitates the delivery of  
6 advertisements across different platforms through the use of pseudonymized identifiers, and  
7 otherwise deny the allegations and conclusory characterizations of the second sentence of  
8 Paragraph 52. The third sentence of Paragraph 52 purports to quote the article cited in footnote  
9 21 of the FAC, which was published and available to Plaintiffs in 2018, years before the filing of  
10 this lawsuit. Defendants admit that the quoted language appears in that article but respectfully  
11 refer the Court to that article itself for its full context and substance. Defendants deny that  
12 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
13 characterization thereof. Defendants affirmatively state that LiveRamp's products and services  
14 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
15 conclusory characterizations of Paragraph 52 and its footnote(s).

16 53. Defendants deny the allegations and conclusory characterizations of Paragraph  
17 53. Defendants affirmatively state that individuals have numerous options to opt out of the  
18 processing and sale of personal information (including services that will submit these requests on  
19 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
20 ins to modify how or to what extent information is collected and processed have been widely  
21 available. Defendants further affirmatively state that under the California and Oregon Consumer  
22 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
23 depending on the law and applicable data category) to the processing and sale of their personally  
24 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
25 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
26 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
27 conclusory characterizations of Paragraph 53.

1           54. Defendants deny the allegations and conclusory characterizations of Paragraph  
2 54, except that Defendants admit that the block-quoted language appears in the document cited  
3 in footnote 22 of the FAC. Defendants respectfully refer the Court to that document for its full  
4 context and substance. Defendants deny that Plaintiffs' selective quotations are complete or  
5 provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively state  
6 that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
7 Defendants deny the allegations and conclusory characterizations of Paragraph 54 and its  
8 footnote(s).

9           55. Paragraph 55 contains one or more legal conclusions as to which no response is  
10 required. To the extent a response is deemed necessary, except as expressly admitted, Defendants  
11 deny the argumentative, vague, and conclusory allegations and characterizations of Paragraph  
12 55. Defendants affirmatively state that individuals have numerous options to opt out of the  
13 processing and sale of personal information (including services that will submit these requests on  
14 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
15 ins to modify how or to what extent information is collected and processed have been widely  
16 available. Defendants further affirmatively state that under the California and Oregon Consumer  
17 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
18 depending on the law and applicable data category) to the processing and sale of their personally  
19 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
20 consumers to exercise those rights.

21           56. Defendants deny the argumentative, vague, and conclusory allegations and  
22 characterizations of Paragraph 56, except that Defendants admit that the quote in the  
23 parenthetical in footnote 23 of the FAC appears in the cited article. Defendants respectfully refer  
24 the Court to the article itself for the full context and substance of the article. Defendants deny  
25 that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
26 characterization thereof. Defendants deny that the quoted source accurately or completely  
27 characterizes the relevant conduct, including the characterization that LiveRamp operates a  
28 "Privacy Death Star." To the extent that the allegations of Paragraph 56 relate to third parties to

1 this action, Defendants deny knowledge or information sufficient to form a belief as to the truth  
2 of these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
3 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
4 deny the allegations and conclusory characterizations of Paragraph 56 and its footnote(s).

5 57. Defendants deny the allegations and conclusory characterizations of Paragraph  
6 57, except that Defendants admit LiveRamp offers identity resolution and the Data Marketplace;  
7 that LiveRamp uses the term "identity resolution" to refer to the process of linking distinct pieces  
8 of information; and that a RampIDs is a pseudonymous identifier that LiveRamp uses in its  
9 online identity graph. Further, Defendants affirmatively state that individuals have numerous  
10 options to opt out of the processing and sale of personal information (including services that will  
11 submit these requests on behalf of the individual) and that, since at least 2018, tools such as  
12 browser extensions and plug-ins to modify how or to what extent information is collected and  
13 processed have been widely available. Defendants further affirmatively state that under the  
14 California and Oregon Consumer Privacy Acts, like those of many other states, consumers have  
15 the right to opt-out (or opt-in, depending on the law and applicable data category) to the  
16 processing and sale of their personally identifiable information and, in accordance with the laws,  
17 LiveRamp provides mechanisms for consumers to exercise those rights. Defendants  
18 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
19 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
20 Paragraph 57 and its footnote(s).

21 58. Defendants admit that LiveRamp creates RampIDs, which are pseudonymous  
22 identifiers that are used in LiveRamp's online identity graph, that online identifiers can be  
23 attached to RampIDs, and that RampIDs are in some cases generated from double hashed salted  
24 offline data, resulting in a one-way translation of that offline data into a RampID (i.e., the  
25 pseudonymous RampID is generated from offline data, but the RampID cannot be translated  
26 back into the offline data). Footnotes 25, 26, and 27 of the FAC purport to quote from a  
27 document published on LiveRamp's website. Defendants admit that the quote appears in the  
28 quoted source and respectfully refer the Court to the document itself for its full context and



1 substance. Defendants deny that Plaintiffs’ selective quotations are complete or provide full  
2 context and deny Plaintiffs’ characterization thereof. Except as expressly admitted, Defendants  
3 deny the allegations of the first sentence of Paragraph 58. Defendants deny the allegations of the  
4 second sentence of Paragraph 58, including that Defendants “aggregate” identifiers or  
5 synchronize personal information. The third sentence of Paragraph 58 purports to quote an article  
6 on LiveRamp’s website cited in footnote 28 of the FAC. Defendants admit that the quoted  
7 language appears in that article but respectfully refer the Court to that article itself for its full  
8 context and substance. Defendants deny that Plaintiffs’ selective quotations are complete or  
9 provide full context and deny Plaintiffs’ characterization thereof. Further, Defendants  
10 affirmatively state that individuals have numerous options to opt out of the processing and sale  
11 of personal information (including services that will submit these requests on behalf of the  
12 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
13 how or to what extent information is collected and processed have been widely available.  
14 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
15 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
16 on the law and applicable data category) to the processing and sale of their personally  
17 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
18 consumers to exercise those rights. The fourth sentence of Paragraph 58 contains legal  
19 conclusions to which no response is required. To the extent any response is required, Defendants  
20 deny the argumentative, vague, and conclusory allegations and characterizations of the fourth  
21 sentence of Paragraph 58. The fifth sentence of Paragraph 58 purports to quote an article cited in  
22 footnote 29 of the FAC. Defendants admit that the quoted language appears in that article but  
23 respectfully refer the Court to that article itself for its full context and substance. Defendants  
24 deny that Plaintiffs’ selective quotations are complete or provide full context and deny Plaintiffs’  
25 characterization thereof. Defendants deny that the quoted source accurately or completely  
26 characterizes the relevant conduct, including the characterization that LiveRamp is the “largest  
27 and most significant actor” in an industry that “exists to purposefully and explicitly shatter . . .  
28 anonymity.” To the extent that the allegations of Paragraph 58 relate to third parties to this

1 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
2 these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
3 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
4 deny the allegations and conclusory characterizations of Paragraph 58 and its footnote(s).

5 59. Defendants admit that the articles on LiveRamp's website quoted in the first  
6 sentence of Paragraph 59 and in footnote 31 of the FAC state that "250m+ consumers  
7 represented in the U.S. and many more worldwide." Defendants admit that the article cited in  
8 footnote 30 of the FAC states that in 2020, the U.S. Census Bureau counted 258.3 million adults  
9 living in the United States. Defendants respectfully refer the Court to the articles themselves for  
10 their full context and substance. Defendants deny that Plaintiffs' selective quotations and  
11 descriptions are complete or provide full context and deny Plaintiffs' characterization thereof.  
12 Defendants deny the second sentence of Paragraph 59, except that a RampID can be mapped to  
13 cookies, mobile device IDs, connected TV device ID, and custom identifiers. Defendants deny  
14 the third sentence of Paragraph 59, except that Defendants admit that a device ID may be able to  
15 be linked to other pseudonymized online identifiers. Footnote 33 of the FAC purports to quote  
16 from a document. Defendants admit that the quote appears in the quoted source and respectfully  
17 refer the Court to the document itself for its full context and substance. Defendants deny that  
18 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
19 characterization thereof. Defendants deny the allegations and conclusory characterizations of the  
20 fourth sentence of Paragraph 59, including the allegation that RampIDs are "permanent" and  
21 "inescapable." To the extent that the allegations of Paragraph 59 relate to third parties to this  
22 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
23 these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
24 individuals have numerous options to opt out of the processing and sale of personal information  
25 (including services that will submit these requests on behalf of the individual) and that, since at  
26 least 2018, tools such as browser extensions and plug-ins to modify how or to what extent  
27 information is collected and processed have been widely available. Defendants further  
28 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of

1 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
2 applicable data category) to the processing and sale of their personally identifiable information  
3 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
4 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
5 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
6 characterizations of Paragraph 59 and its footnote(s).

7         60. Defendants admit that some buyers and sellers, including data brokers, transact to  
8 license the right to use data segments on Data Marketplace and that some of these segments are  
9 constructed along lines of demographic information (such as age, gender, or estimates of  
10 income) or inferred behavioral characteristics (such as predicted interests, personality types, or  
11 other features—sometimes called “psychographic” information). Defendants state that  
12 LiveRamp's policies prohibit segments based on sexual reproductive decisions. Defendants state  
13 that these segments are frequently modelled based on other information, not based on direct  
14 observation. To the extent that the allegations of Paragraph 60 relate to third parties to this  
15 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
16 these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
17 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
18 deny the allegations and conclusory characterizations of Paragraph 60 including the allegation  
19 that Defendants are sellers on the Data Marketplace.

20         61. Defendants deny the argumentative, vague, and conclusory allegations and  
21 characterizations of Paragraph 61. To the extent that the allegations of Paragraph 61 relate to  
22 third parties to this action, Defendants deny knowledge or information sufficient to form a belief  
23 as to the truth of these allegations and, therefore, deny the allegations. Defendants affirmatively  
24 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
25 Defendants deny the allegations and conclusory characterization of Paragraph 61.

26         62. Paragraph 62 contains one or more legal conclusions as to which no response is  
27 necessary. To the extent a response is deemed necessary, Defendants deny the argumentative,  
28 vague, and conclusory allegations and characterizations of Paragraph 62. Defendants

1 affirmatively state that individuals have numerous options to opt out of the processing and sale  
 2 of personal information (including services that will submit these requests on behalf of the  
 3 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
 4 how or to what extent information is collected and processed have been widely available.  
 5 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
 6 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
 7 on the law and applicable data category) to the processing and sale of their personally  
 8 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
 9 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
 10 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
 11 conclusory characterizations of Paragraph 62.

12 63. Defendants admit that LiveRamp Holdings, Inc. generated over \$500 million in  
 13 total revenue in Fiscal Years ended March 31, 2023, March 31, 2024, and March 31, 2025.  
 14 Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
 15 Footnote 34 of the FAC purports to quote from two documents published on LiveRamp's  
 16 website. Defendants admit that the documents reflect total revenue of \$597 million and \$660  
 17 million, respectively, and respectfully refer the Court to the article itself for its full context and  
 18 substance. Defendants deny that Plaintiffs' descriptions are complete or provide full context and  
 19 deny Plaintiffs' characterization thereof. Except as expressly admitted, Defendants deny the  
 20 allegations and conclusory characterizations of Paragraph 63 and its footnote(s).

21 1. **LiveRamp Collects, Buys, and Analyzes Vast Amounts of Offline Data**  
 22 **to Construct Real-World Identity Profiles Using Its AbiliTec System.**

23 64. Defendants deny the allegations and conclusory characterizations of the first  
 24 sentence of Paragraph 64, except that LiveRamp's offline identity graph uses an AbiliTecID to  
 25 connect offline identifiers; and that with an AbiliTecID, there can be a one-way translation  
 26 through a double hashing and salting process into a pseudonymous RampID (which can be  
 27 linked to pseudonymized online identifiers), but that a RampID cannot be translated into an  
 28 AbiliTecID. Defendants deny the allegations and conclusory characterizations second sentence

1 of Paragraph 64, except that Defendants admit that AbiliTecIDs can be assigned to offline  
2 identifiers (e.g., postal addresses, email addresses, and names) and that the offline identity graph  
3 can in some cases use algorithms to resolve disparate offline identifiers to a single AbiliTecID.  
4 The third sentence of Paragraph 64 purports to quote an article published on LiveRamp's  
5 website, cited in footnote 37 of the FAC. Defendants admit that the quoted language appears in  
6 that article but respectfully refer the Court to that article itself for its full context and substance.  
7 Defendants deny that Plaintiffs' selective quotations are complete or provide full context and  
8 deny Plaintiffs' characterization thereof. Defendants affirmatively state that LiveRamp's  
9 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
10 allegations and conclusory characterizations of Paragraph 64 and its footnote(s).

11 65. Defendants admit that the data used to generate LiveRamp's offline Identity  
12 Graph is sourced from various sources including historical consumer contact information,  
13 including name and postal records, email addresses, and phone numbers. Defendants admit that  
14 the data used to generate the offline Identity Graph includes sources such as public record data,  
15 publicly available data, and self-reported information. Defendants admit the data used to  
16 generate LiveRamp's offline Identity Graph is sourced from hundreds of contributors and can  
17 contain multiple names, addresses, and email representations for an individual. Defendants admit  
18 that LiveRamp purchases the license to use email-to-postal address match data from various  
19 third-party providers. Defendants affirmatively state that LiveRamp's products and services are  
20 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
21 characterizations of Paragraph 65 and its footnote(s).

22 66. Paragraph 66 purports to quote an article published on LiveRamp's website cited  
23 in footnote 42 of the FAC. Defendants admit that the quoted language appears in that article but  
24 respectfully refer the Court to that article itself for its full context and substance. Defendants  
25 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
26 characterization thereof. Defendants admit that LiveRamp's offline Identity Graph sometimes  
27 stores consumer associative data and internal metadata. Defendants deny that they collect and  
28 process consumers' gender data in LiveRamp's AbiliTec system. Defendants affirmatively state

1 that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
2 Defendants deny the allegations and conclusory characterizations of Paragraph 66 and its  
3 footnote(s).

4 67. Defendants deny the first and second sentences of Paragraph 67, except that  
5 Defendants admit if a LiveRamp customer provides an offline identifier, such as an email  
6 address, phone number, or name plus postal address, that offline identifier can be used to return  
7 an AbilitecID or AbilitecIDs from the offline Identity Graph, if any AbilitecIDs are associated  
8 with that offline identifier. Defendants affirmatively state that LiveRamp's products and services  
9 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
10 conclusory characterizations of Paragraph 67.

11 68. Defendants deny the first sentence of Paragraph 68, including the allegation with  
12 respect to gender transition, except that Defendants admit that that people in general may move  
13 houses, change jobs, or switch devices over time due to a variety of circumstances and that  
14 LiveRamp may create new connections with new identifiers in the offline Identity Graph based  
15 on the data it receives over time. The second and third sentences of Paragraph 68 purport to  
16 quote an article published on LiveRamp's website, cited in footnote 43 of the FAC. Defendants  
17 admit that the quoted language appears in that article but respectfully refer the Court to that  
18 article itself for its full context and substance. Defendants deny that Plaintiffs' selective  
19 quotations are complete or provide full context and deny Plaintiffs' characterization thereof.  
20 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
21 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
22 Paragraph 68 and its footnote(s).

23 69. Paragraph 69 purports to quote LiveRamp Holdings, Inc.'s Form 10-K for the  
24 Fiscal Year ending March 31, 2021, cited in footnote 44 of the FAC. Defendants admit that the  
25 quoted language appears in that document but respectfully refer the Court to that article itself for  
26 its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete  
27 or provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively  
28 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,

1 Defendants deny the allegations and conclusory characterizations of Paragraph 69 and its  
2 footnote(s).

3 2. **LiveRamp Collects, Buys, and Analyzes Vast Amounts of Online Data**  
4 **to Track Real-World Consumers' Digital Activities Using the**  
5 **RampID Identity Graph System.**

6 70. Defendants deny the allegations of the first sentence of Paragraph 70, except that  
7 Defendants admit an AbiliTecID in the offline identity graph can be connected to a RampID in  
8 the online identity graph through a one-way, pseudonymized double hashing and salting process.  
9 Defendants admit that LiveRamp refers to the identity graph that uses AbilitecIDs as an “offline  
10 identity graph,” and to identity graph that can contain RampIDs as an “online identity graph.”  
11 Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except  
12 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
13 Paragraph 70 and its footnote(s).

14 71. Defendants deny the allegations and conclusory characterizations of the first  
15 sentence of Paragraph 71, except that Defendants admit a maintained RampID represents an  
16 individual that LiveRamp can match to at least one offline identifier in the offline identity graph.  
17 Defendants admit that the offline identity graph can in some cases use algorithms to resolve  
18 disparate offline identifiers to a single AbiliTecID and that, with an AbiliTecID, there can be a  
19 one-way translation into a pseudonymous RampID through a double hashing and salting process,  
20 but otherwise deny the allegations and conclusory characterizations of the second and third  
21 sentences of Paragraph 71. Defendants deny the allegations and conclusory characterizations of  
22 the fourth sentence of Paragraph 71. Further, Defendants affirmatively state that individuals have  
23 numerous options to opt out of the processing and sale of personal information (including  
24 services that will submit these requests on behalf of the individual) and that, since at least 2018,  
25 tools such as browser extensions and plug-ins to modify how or to what extent information is  
26 collected and processed have been widely available. Defendants further affirmatively state that  
27 under the California and Oregon Consumer Privacy Acts, like those of many other  
28 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
category) to the processing and sale of their personally identifiable information and, in



1 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
2 rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
3 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
4 of Paragraph 71 and its footnote(s).

5 72. Defendants deny the allegations of the first sentence of Paragraph 72, except that  
6 Defendants admit that RampIDs can be mapped to other online identifiers in LiveRamp's online  
7 identity graph, including cookie IDs, mobile IDs, and custom IDs. Defendants deny the  
8 allegations and conclusory characterizations second sentence of Paragraph 72. The allegations of  
9 the third sentence of Paragraph 72 are argumentative and vague and on that basis Defendants  
10 deny them. Except as expressly admitted, Defendants deny the allegations and conclusory  
11 characterizations of Paragraph 72. The fourth sentence of Paragraph 72 purports to quote an  
12 article cited in footnote 52 of the FAC. Defendants admit that the quoted language appears in  
13 that article but respectfully refer the Court to that article itself for its full context and substance.  
14 Defendants deny that Plaintiffs' selective quotations are complete or provide full context and  
15 deny Plaintiffs' characterization thereof (including Plaintiffs' addition of emphasis). Defendants  
16 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
17 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
18 Paragraph 72 and its footnote(s).

19 73. Defendants deny the first sentence of Paragraph 73, except that LiveRamp's  
20 offline Identity Graph contains offline identifiers and LiveRamp's online Identity Graph contains  
21 online identifiers. Defendants deny the second sentence of Paragraph 73, except Defendants  
22 admit that LiveRamp uses multiple means to collect data about online identifiers and that  
23 LiveRamp receives information about online identifiers from data partners. Defendants deny the  
24 third sentence of Paragraph 73. Defendants affirmatively state that LiveRamp's products and  
25 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
26 conclusory characterizations of Paragraph 73.

27 74. Defendants deny the first sentence of Paragraph 74, except that Defendants admit  
28 LiveRamp uses "cookies" or other similar browser storage mechanisms like "localStorage" to

1 store “cookie IDs.” Defendants deny the allegations of the second or third sentences as they  
2 relate to Defendants. To the extent that the allegations of the second and third sentences of  
3 Paragraph 54 relate to third parties to this action, Defendants deny knowledge or information  
4 sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations.  
5 Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except  
6 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
7 Paragraph 74 and its footnote(s).

8         75. Defendants admit that “cookie syncing” or “ID syncing” as LiveRamp uses the  
9 terms involves mapping cookie IDs maintained by one company to cookie IDs maintained by  
10 another company by exchanging cookie IDs. Defendants admit “cookie syncing” allows  
11 LiveRamp to correlate a LiveRamp cookie as being installed on the same web browser as a  
12 synced partner cookie. To the extent that the allegations of Paragraph 75 relate to third parties to  
13 this action, Defendants deny knowledge or information sufficient to form a belief as to the truth  
14 of these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
15 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
16 deny the allegations and conclusory characterizations of Paragraph 75.

17         76. Defendants deny the allegations of the first sentence of Paragraph 76, except  
18 Defendants admit that websites deploy LiveRamp’s cookies and that LiveRamp currently  
19 receives cookie IDs from other companies, including Google, Microsoft, Salesforce, Neustar,  
20 The Trade Desk, and Quantcast. Defendants deny the allegations of the second sentence of  
21 Paragraph 76, except Defendants admit that LiveRamp’s online Identity Graph may match  
22 cookie IDs to each other and to mobile IDs, proprietary platform IDs, and RampIDs, depending  
23 on the data that LiveRamp has received. Defendants deny the allegations of the third sentence of  
24 Paragraph 76. To the extent that the allegations of Paragraph 76 relate to third parties to this  
25 action, Defendants deny knowledge or information sufficient to form a belief as to the truth of  
26 these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
27 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
28 deny the allegations and conclusory characterizations of Paragraph 76 and its footnote(s).

1           77. Defendants admit LiveRamp's "Web Match Tags" allow it to establish links  
2 between consumers' email addresses and cookie IDs. Defendants admit that Web Match Tags  
3 can be added by a match partner to website pages where a user's email addresses can be  
4 populated, including, for example post-registration pages, post-login pages, returning-user pages,  
5 and landing page(s) associated with any links in the match partner's email newsletters.  
6 Defendants deny the third sentence of Paragraph 77, except Defendants admit that after the  
7 match partner obtains access to the user's email address, such as when the user has registered for  
8 an account, the Web Match Tag can be configured to send the hashed email address and cookie  
9 ID to LiveRamp. Defendants deny the allegations of the fourth sentence of Paragraph 77, except  
10 Defendants admit LiveRamp sometimes creates a new link between a RampID and a cookie ID  
11 in its online Identity Graph. Defendants deny the allegations of the fifth sentence of Paragraph  
12 77. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
13 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
14 of Paragraph 77 and its footnote(s).

15           78. Defendants deny the first sentence of Paragraph 78. Defendants deny the second  
16 sentence of Paragraph 78, except that Defendants admit LiveRamp's Client-Side Tags are  
17 deployed via pixels that transmit the referral URL, as set by the website's referrer URL policy,  
18 and the date and time of the visit, and that websites can configure the Client-Side Tag to transmit  
19 other information such as page views, ad views, adding items to a cart, or completing a  
20 transaction. Defendants deny the allegations of the third sentence of Paragraph 78, except  
21 Defendants admit that any offline identifiers in the data are resolved to a RampID. Defendants  
22 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
23 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
24 Paragraph 78 and its footnote(s).

25           79. Defendants deny the allegations of the first sentence of Paragraph 79. The second  
26 sentence of Paragraph 79 contains legal conclusions that require no response. To the extent any  
27 response to the second sentence is required, Defendants deny the allegations. Defendants deny  
28 the third sentence, except Defendants admit that event listeners can be portions of the JavaScript

code that “listen” for certain actions by the internet user, as determined by the entity that deploys the code. Defendants deny the fourth, fifth, and sixth sentences of Paragraph 79. The remaining sentences purport to quote an article published on LiveRamp’s website. Defendants admit that the quoted language appears in the quoted article and respectfully refer the Court to the article itself for its full context and substance. Defendants deny that Plaintiffs’ selective quotations are complete or provide full context and deny Plaintiffs’ characterization thereof. Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 79 and its footnote(s).

80. Defendants deny the allegations and conclusory characterizations of Paragraph 80. Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 80 and its footnote(s).

81. Paragraph 81 contains one or more legal conclusions as to which no response is required. To the extent a response is deemed necessary, Defendants deny the argumentative, vague, and conclusory allegations and characterizations of Paragraph 81. Further, to the extent that the allegations of Paragraph 81 relate to third parties to this action, Defendants deny knowledge or information sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations. Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations of Paragraph 81.

82. Defendants deny the allegations and conclusory characterizations of Paragraph 82. Defendants affirmatively state that LiveRamp’s products and services are privacy-centric.

**B. Through “Data Onboarding,” and Identity Resolution, LiveRamp and Its Customers Target Class Members Wherever They Are in the Digital and Physical Worlds.**

83. The first sentence of Paragraph 83 purports to quote from an article and media published on LiveRamp’s website. Defendants admit that the quoted language appears in the quoted source and respectfully refer the Court to the article and media itself for its full context

1 and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full  
2 context and deny Plaintiffs' characterization thereof. The second, third, and fourth sentences of  
3 Paragraph 83 consist of a hypothetical factual scenario and Defendants deny them on that basis,  
4 except that Defendants admit that customers have the ability to upload files that contain  
5 identifiers to LiveRamp and subsequently specify a destination for advertising. Defendants  
6 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
7 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
8 Paragraph 83 and its footnote(s).

9       84. The first, second, and third sentences of Paragraph 84 consist of a hypothetical  
10 factual scenario and Defendants deny them on that basis. Defendants admit that LiveRamp  
11 publicly lists names of companies with which it works in a directory and that LiveRamp's  
12 website states that LiveRamp can add more integrations on request. Defendants deny that the  
13 directory lists more than 500 advertiser destinations. Defendants affirmatively state that  
14 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
15 deny the allegations and conclusory characterizations of Paragraph 84 and its footnote(s).

16       85. Defendants respond that LiveRamp has approximately 835 direct clients, although  
17 this number varies by quarter, and admits that LiveRamp has thousands of indirect clients. The  
18 second sentence of Paragraph 85 purports to quote from the article cited in footnote 70 of the  
19 FAC. Defendants admit that the quoted language appears in that article but respectfully refer the  
20 Court to that article itself for its full context and substance. Defendants deny that Plaintiffs'  
21 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
22 thereof. To the extent that the allegations of Paragraph 85 relate to third parties to this action,  
23 Defendants deny knowledge or information sufficient to form a belief as to the truth of these  
24 allegations and, therefore, deny the allegations. Defendants affirmatively state that LiveRamp's  
25 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
26 allegations and conclusory characterizations of Paragraph 85 and its footnote(s) (including the  
27 allegation that most of LiveRamp's clients are large players in the data and AdTech industry).  
28

1           86. Defendants deny the allegations and conclusory characterizations of the first  
2 sentence of Paragraph 86. The second sentence of Paragraph 86 purports to describe the results  
3 of a study conducted by third parties. Defendants respectfully refer the Court to the study itself  
4 for the study's full context and substance. The third sentence of Paragraph 86 includes quotes  
5 from, and characterizations of, a graphic displayed in a marketing video published by LiveRamp  
6 on YouTube.com. Defendants admit that the video contains a graphic that contains the literal text  
7 quoted in Paragraph 86 but deny Plaintiffs' argumentative characterizations and respectfully  
8 refer the Court to the video itself for a statement of its content and context. Defendants deny that  
9 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
10 characterization thereof. Defendants deny that the quoted source accurately or completely  
11 characterizes the relevant conduct. Defendants otherwise deny the allegations and conclusory  
12 characterizations of the second sentence of Paragraph 86. To the extent that the allegations of  
13 Paragraph 86 relate to third parties to this action, Defendants deny knowledge or information  
14 sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations.  
15 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
16 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
17 Paragraph 86 and its footnote(s).

18           87. Defendants deny the argumentative, vague, and conclusory allegations and  
19 characterizations of the first sentence of Paragraph 87. To the extent that the allegations of the  
20 first sentence of Paragraph 87 relate to third parties to this action, Defendants deny knowledge or  
21 information sufficient to form a belief as to the truth of these allegations and, therefore, deny the  
22 allegations. The second sentence and bullet points of Paragraph 87 purport to describe brochures  
23 available at the permalink in footnotes 74 and 75 of the FAC. Defendants respectfully refer the  
24 Court to the brochures themselves for their full context and substance. Defendants deny that  
25 Plaintiffs' descriptions are complete or provide full context and deny Plaintiffs' characterization  
26 thereof. Defendants otherwise deny the allegations and conclusory characterizations of the  
27 second sentence and bullet points of Paragraph 87. Defendants affirmatively state that  
28

1 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
2 deny the allegations and conclusory characterizations of Paragraph 87 and its footnote(s).

3 88. To the extent Paragraph 88's reference to "these examples" incorporates  
4 allegations from preceding paragraphs, LiveRamp incorporates its responses to those allegations  
5 in response to Paragraph 88. Defendants affirmatively state that LiveRamp's products and  
6 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
7 conclusory characterizations of Paragraph 88.

8 **C. Through "Authenticated Traffic Solutions" or "ATS," LiveRamp Enables**  
9 **Privacy-Invasive "Real-Time Bidding" Based on Class Members' Real-**  
10 **World Identities.**

11 89. Defendants deny the allegations and conclusory characterizations of Paragraph  
12 89, except Defendants admit that LiveRamp can monetize ATS via the RampID through, for  
13 example, the use of the RampID in Real-Time Bidding. Defendants affirmatively state that  
14 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
15 deny the allegations and conclusory characterizations of Paragraph 89.

16 90. Defendants admit ATS functions by converting the email addresses and phone  
17 numbers into RampIDs, but otherwise deny the allegations and conclusory characterizations of  
18 the first sentence of Paragraph 90. Defendants admit that when users provide email addresses  
19 and/or phone numbers on websites that have deployed ATS.js, in a manner that triggers the  
20 ATS.js as configured by that website, ATS transforms the identifier into a pseudonymous  
21 RampID that is stored in an encrypted identity envelope in a privacy protective manner, but  
22 otherwise deny the allegations and conclusory characterizations of the second sentence of  
23 Paragraph 90. Defendants deny allegations and conclusory characterizations of the third sentence  
24 of Paragraph 90, except that Defendants admit that the identity envelope containing an encrypted  
25 RampIDs can be used in the Real-Time Bidding ecosystem. Defendants affirmatively state that  
26 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
27 deny the allegations of Paragraph 90 and its footnote(s).

28 91. Defendants admit that many advertisers use a process often referred to as "Real-  
Time Bidding" to allocate advertising space. Defendants otherwise deny the allegations and



1 conclusory characterizations of Paragraph 91, except that Defendants admit that the source cited  
2 in footnote 77 of the FAC contains the language block-quoted in Paragraph 91. Defendants  
3 respectfully refer the Court to the article itself for the full context and substance of the article.  
4 Defendants deny that Plaintiffs' selective quotations are complete or provide full context and  
5 deny Plaintiffs' characterization thereof. Defendants deny that the quoted source accurately or  
6 completely characterizes the relevant conduct, including the characterization that Real Time  
7 Bidding is "the biggest illegal data breach ever recorded." Defendants affirmatively state that  
8 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
9 deny the allegations and conclusory characterizations of Paragraph 91 and its footnote(s).

10 92. Defendants admit that when users provide email addresses and/or phone numbers  
11 on websites that have deployed ATS.js, in a manner that triggers the ATS.js as configured by  
12 that website, ATS can transform the identifier into a pseudonymous RampID that is stored in an  
13 encrypted identity envelope, and that the encrypted identity envelope can be used in Real-Time  
14 Bidding. Defendants affirmatively state that LiveRamp's products and services are privacy-  
15 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
16 characterizations of Paragraph 92 and its footnote(s).

17 93. Paragraph 93 contains one or more legal conclusions as to which no response is  
18 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
19 vague, and conclusory allegations and characterizations of Paragraph 93. Further, Defendants  
20 affirmatively state that individuals have numerous options to opt out of the processing and sale  
21 of personal information (including services that will submit these requests on behalf of the  
22 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
23 how or to what extent information is collected and processed have been widely available.  
24 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
25 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
26 on the law and applicable data category) to the processing and sale of their personally  
27 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
28 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and

1 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
2 conclusory characterizations of Paragraph 93.

3 **D. Through Its Data Marketplace, LiveRamp Facilitates the Sale of Vast**  
4 **Amounts of Sensitive Personal Information About Consumers and**  
5 **Facilitates the Construction of Detailed Consumer Profiles.**

6 94. Paragraph 94 contains one or more legal conclusions as to which no response is  
7 required. To the extent a response is deemed necessary, Defendants affirmatively state that  
8 LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
9 Defendants deny the allegations and conclusory characterizations of Paragraph 94.

10 95. Defendants deny the allegations and conclusory characterizations of Paragraph 95  
11 except that Defendants admit that LiveRamp operates an online marketplace called Data  
12 Marketplace, where some buyers and sellers transact for licenses to use data segments; that  
13 LiveRamp issued the Form 10-K quoted in footnote 80 of the FAC; and that the Form 10-K  
14 contains the language quoted in Paragraph 95. Defendants respectfully refer the Court to that  
15 document itself for its full context and substance. Defendants deny that Plaintiffs' selective  
16 quotations are complete or provide full context and deny Plaintiffs' characterization thereof.  
17 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
18 as expressly admitted, Defendants deny the allegations and characterizations of Paragraph 95 and  
19 its footnote(s).

20 96. The first sentence of Paragraph 96 purports to quote an article published on  
21 LiveRamp's website, cited in footnote 81 of the FAC. Defendants admit that the quoted language  
22 appears in that article but respectfully refer the Court to that article itself for its full context and  
23 substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full  
24 context and deny Plaintiffs' characterization thereof. Defendants admit that LiveRamp publicly  
25 lists names of entities that make available data on Data Marketplace in a directory. Defendants  
26 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
27 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
28 Paragraph 96 and its footnote(s).

1           97. Defendants respond that because LiveRamp acts solely as a data processor for  
2 segments on Data Marketplace, sellers are responsible for naming their segments and Defendants  
3 lack sufficient knowledge to admit or deny allegations relating to the contents of segments on the  
4 Data Marketplace or the data and methods from which they were constructed, and on that basis  
5 Defendants deny Paragraph 97. Additionally, as to footnote 83, Defendants deny knowledge or  
6 information sufficient to form a belief as to the authenticity or veracity of the spreadsheet cited in  
7 the footnote and on that basis denies the same. Defendants affirmatively state that LiveRamp's  
8 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
9 allegations and conclusory characterizations of Paragraph 97 and its footnote(s).

10           98. Defendants deny the allegations and conclusory characterizations of the first  
11 sentence of Paragraph 98. Defendants deny that all of the segments listed in Paragraph 98 were  
12 or are available on the Data Marketplace, and deny Plaintiffs' conclusory and argumentative  
13 characterizations of these segments. Defendants affirmatively state that LiveRamp's products  
14 and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations  
15 and conclusory characterizations of Paragraph 98 and its footnote(s).

16           99. Defendants admit that LiveRamp has a privacy review and approval process for  
17 Data Marketplace and that in many cases this process takes 1-2 days. Defendants deny Plaintiffs'  
18 characterization of that process and affirmatively state that LiveRamp's products and services are  
19 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
20 characterizations of Paragraph 99 and its footnote(s).

21           100. Defendants lack knowledge or information about what Plaintiffs find  
22 "impossible" and therefore deny the allegations of the first and third sentences of Paragraph 100.  
23 Defendants admit that LiveRamp has policies prohibiting certain segments, including those  
24 related to reproductive health and rights, pregnancy, and fertility. However, because LiveRamp  
25 acts solely as a data processor for segments on Data Marketplace, sellers on the Data  
26 Marketplace are responsible for naming their segments and Defendants lack sufficient  
27 knowledge to admit or deny allegations relating to the contents of segments on the Data  
28 Marketplace, and on that basis deny them. Defendants otherwise deny the allegations of the

1 second sentence of Paragraph 100. As to the third sentence of Paragraph 100, Defendants admit  
2 that LiveRamp blurs certain information from its publicly-available technical documentation to  
3 protect confidential and commercially sensitive information, but otherwise deny the third  
4 sentence of Paragraph 100. Defendants affirmatively state that LiveRamp's products and services  
5 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
6 conclusory characterizations of Paragraph 100 and its footnote(s).

7 101. Defendants deny the allegations and conclusory characterizations of the first  
8 sentence of Paragraph 101. The second sentence of Paragraph 101 purports to quote the  
9 document cited in footnote 90 of the FAC. Defendants admit that the quoted language appears in  
10 that document but respectfully refer the Court to that article itself for its full context and  
11 substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full  
12 context and deny Plaintiffs' characterization thereof. Defendants admit that the current Data  
13 Marketplace Policy prohibits segments intended to target "[c]annabis/marijuana (THC, not  
14 CBD)." Defendants admit that some segments listed on Data Marketplace include segment  
15 names that reference marijuana. Because LiveRamp acts solely as a data processor for segments  
16 on Data Marketplace, Defendants lack sufficient knowledge to admit or deny allegations relating  
17 to the contents of segments on the Data Marketplace or data sources from which those segments  
18 were created and on that basis deny them, including that unspecified segments were created  
19 using "offline, PII-based cannabis-and-CBD transaction data." To the extent that the allegations  
20 of Paragraph 101 relate to third parties to this action, Defendants deny knowledge or information  
21 sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations.  
22 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
23 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
24 Paragraph 101 and its footnote(s).

25 102. Defendants deny the allegations and conclusory characterizations of the first  
26 sentence of Paragraph 102, except that Defendants admit there are over 160 data sellers on the  
27 Data Marketplace. The second sentence of Paragraph 102 purports to quote a document cited in  
28 footnote 93 of the FAC. Defendants admit that the quoted language appears in that document but

1 respectfully refer the Court to that document itself for its full context and substance. Defendants  
2 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
3 characterization thereof. The third sentence purports to quote a document cited in footnote 94 of  
4 the FAC. Defendants admit that the quoted language appears in that document but respectfully  
5 refer the Court to that document itself for its full context and substance. Defendants deny that  
6 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
7 characterization thereof. To the extent that the allegations of Paragraph 102 relate to third parties  
8 to this action, Defendants deny knowledge or information sufficient to form a belief as to the  
9 truth of these allegations and, therefore, deny the allegations. Defendants affirmatively state that  
10 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
11 deny the allegations and conclusory characterizations of Paragraph 102 and its footnote(s).

12 103. Paragraph 103 purports to describe the article cited in footnotes 95 and 96 of the  
13 FAC. Defendants respectfully refer the Court to that article itself for its full context and  
14 substance. Defendants otherwise lack sufficient knowledge to admit or deny the allegations of  
15 Paragraph 103 and on that basis deny them. Defendants affirmatively state that LiveRamp's  
16 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
17 allegations and conclusory characterizations of Paragraph 103 and its footnote(s).

18 104. Defendants deny the allegations of the first sentence of Paragraph 104. The  
19 second, third, and fourth sentences of Paragraph 104 purport to quote the article cited in  
20 footnotes 97 and 98 of the FAC. Defendants respectfully refer the Court to that article itself for  
21 its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete  
22 or provide full context and deny Plaintiffs' characterization thereof, including Plaintiffs'  
23 characterization that LiveRamp sells segments on Data Marketplace. Defendants affirmatively  
24 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
25 Defendants deny the allegations and conclusory characterizations of Paragraph 104 and its  
26 footnote(s).

27 105. Defendants admit that LiveRamp publishes guidance to Data Marketplace sellers  
28 on how to comply with LiveRamp's Data Marketplace Data Policy, and that the permalink in

1 footnote 99 of the FAC links to a webpage on LiveRamp’s website that includes some of this  
2 guidance. Defendants admit that the cited webpage states, in part: “Descriptions should not  
3 contain derogatory or embarrassing statements”; “Derogatory and embarrassing: This segment  
4 contains consumers who are barely scraping by and are always borrowing money from friends  
5 and family”; and “Not derogatory or embarrassing: This segment contains consumer who  
6 are likely to borrow money.” Except as expressly admitted, Defendants deny the allegations and  
7 conclusory characterizations in Paragraph 105, including Plaintiffs’ characterization of  
8 LiveRamp’s intentions in publishing policy guidance and the intended meaning of the guidance  
9 quoted in Paragraph 105. Defendants affirmatively state that LiveRamp’s products and services  
10 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
11 conclusory characterizations of Paragraph 105 and its footnote(s).

12 106. The first sentence of Paragraph 106 purports to quote an article published on  
13 LiveRamp’s website, cited in footnote 100 of the FAC. Defendants admit the quoted language  
14 appears in the cited source, but respectfully refer the Court to that article itself for its full context  
15 and substance. Defendants deny that Plaintiffs’ selective quotations are complete or provide full  
16 context and deny Plaintiffs’ characterization thereof (including Plaintiffs’ addition of emphasis).  
17 Regarding the second sentence, Defendants admit that some segments listed on Data  
18 Marketplace include segment names that reference marijuana, but because LiveRamp acts solely  
19 as a data processor for segments on Data Marketplace, sellers on the Data Marketplace are  
20 responsible for naming their segments and Defendants lack sufficient knowledge to admit or  
21 deny allegations relating to the contents of segments on the Data Marketplace and on that basis  
22 deny them. Defendants affirmatively state that LiveRamp’s products and services are privacy-  
23 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
24 characterizations of Paragraph 106 and its footnote(s).

25 107. Defendants admit that LiveRamp’s current Data Marketplace Data Policy  
26 prohibits segments targeting certain health-related topics, including reproductive health and  
27 rights, pregnancy, and fertility, sexually transmitted diseases, mental health-related conditions,  
28 sexual orientation; conditions predominantly affecting or associated with children and not treated

1 with over-the-counter medicine, information describing any individual's known health or  
2 medical condition(s), including Protected Health Information (PHI), and abortion. The second  
3 sentence of Paragraph 107 purports to quote an article published on LiveRamp's website, cited in  
4 footnote 103 of the FAC. Defendants admit the quoted language appear in the cited source, but  
5 respectfully refer the Court to that article itself for its full context and substance. Defendants  
6 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
7 characterization thereof. Regarding the third sentence, because LiveRamp acts solely as a data  
8 processor for segments on Data Marketplace, sellers are responsible for naming their segments  
9 and Defendants lack sufficient knowledge to admit or deny allegations relating to the contents of  
10 segments on the Data Marketplace and on that basis deny them. Defendants affirmatively state  
11 that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
12 Defendants deny the allegations and conclusory characterizations of Paragraph 107 and its  
13 footnote(s).

14 **E. LiveRamp's "Third-Party Attribute Enrichment" Is a Uniquely Invasive and**  
15 **Comprehensive Form of Surveillance.**

16 108. Defendants deny the allegations of Paragraph 108 and footnote 104 of the FAC,  
17 including to the extent Plaintiffs intend to insinuate that LiveRamp changed the name of this  
18 product as a result of Plaintiffs' original Complaint, except that Defendants admit that the  
19 document cited in footnote 104 of the FAC appeared on the LiveRamp website and included the  
20 literal text placed in quotation marks in Paragraph 108. Defendants respectfully refer the Court to  
21 the article itself for the full context and substance of the article. Defendants deny that Plaintiffs'  
22 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
23 thereof—including without limitation the characterizations that LiveRamp connects first-party  
24 data to all the data available on Data Marketplace and that LiveRamp sells "access to all the  
25 information about a particular, identifiable person available on Data Marketplace," neither of  
26 which LiveRamp does. Defendants affirmatively state that LiveRamp's products and services are  
27 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
28 characterizations of Paragraph 108 and its footnote(s).



109. Paragraph 109 purports to describe an article published on LiveRamp's website, cited in footnotes 108 and 109 of the FAC. Defendants admit that the quoted language appears in that article but respectfully refer the Court to that article itself for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 109 and its footnote(s).

110. Defendants deny the allegations and conclusory characterizations of Paragraph 110.

111. Defendants admit LiveRamp generates revenue from the Data Marketplace through revenue-sharing arrangements with data owners that are monetizing their data assets on Data Marketplace. Defendants admit that LiveRamp generates over \$100 million a year in total revenue from the Data Marketplace platform. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 111 and its footnote(s).

112. Defendants lack knowledge or information sufficient to form a belief as to the truth of Plaintiffs' allegations about their own knowledge/investigation or as to third parties and, on that basis, deny the allegations of the first and second sentences of Paragraph 112. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 112.

**F. LiveRamp's Bespoke Data Products Consist of Content of Its Own Creation**

113. Defendants deny the allegations and conclusory characterizations of Paragraph 113. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

114. Defendants deny the allegations and conclusory characterizations of Paragraph 114. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

115. Defendants deny the allegations and conclusory characterizations of Paragraph 115. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

116. Defendants deny the allegations and conclusory characterizations of Paragraph 116. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

117. Defendants deny the allegations and conclusory characterizations of Paragraph 117. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

118. Defendants admit that LiveRamp operates Data Marketplace and that LiveRamp has on occasion called aspects of Data Marketplace an "ecosystem." Defendants admit that the quoted language in footnote 113 of the FAC appears in the quoted source, and respectfully refer the Court to the document itself for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 118 and its footnote(s).

119. Defendants deny the allegations and conclusory characterizations of Paragraph 119. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

120. Paragraph 120 purports to quote an article published on LiveRamp's website, cited in footnote 114 of the FAC. Defendants admit that the quoted language appears in that article but respectfully refer the Court to that article itself for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 120 and its footnote(s).

121. Defendants deny the allegations and conclusory characterizations of Paragraph 121. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

122. Paragraph 122 purports to quote an article published on LiveRamp's website, cited in footnotes 115 and 116 of the FAC. Defendants admit that the quoted language appears in that article but respectfully refer the Court to that article itself for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof. Defendants affirmatively state that LiveRamp's

1 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
2 allegations and conclusory characterizations of Paragraph 122 and its footnote(s).

3 123. Defendants deny the allegations and conclusory characterizations of Paragraph  
4 123, except that Defendants admit that LiveRamp bills certain clients for certain services and  
5 participates in data distribution at the direction of Data Marketplace buyers and sellers.  
6 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
7 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
8 Paragraph 123 and its footnote(s).

9 124. Defendants deny the allegations and conclusory characterizations of Paragraph  
10 124. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

11 125. Defendants deny the allegations and conclusory characterizations of Paragraph  
12 125, except that Defendants admit that LiveRamp issued the Form 10-K quoted in footnote 118  
13 of the FAC and that the Form 10-K contains the language quoted in Paragraph 125. Defendants  
14 respectfully refer the Court to that document itself for its full context and substance. Defendants  
15 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
16 characterization thereof (including Plaintiffs' addition of emphasis). Defendants affirmatively  
17 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
18 Defendants deny the allegations of Paragraph 125 and its footnote(s).

19 126. Defendants deny the allegations of the first and second sentences of Paragraph  
20 126. Defendants admit that LiveRamp offers a product called "Advertiser Direct Solution,"  
21 which provides content-neutral tools to allow advertisers to activate data segments on various  
22 advertising platforms and that this product is billed directly by LiveRamp pursuant to a separate  
23 agreement. Defendants further admit that, with the exception of the term "Twitter," the language  
24 quoted in the third, fourth, and fifth sentences of Paragraph 126 appears in the article published  
25 on LiveRamp's website and cited in footnotes 119, 120, and 121 of the FAC. Defendants  
26 respectfully refer the Court to that document itself for its full context and substance. Defendants  
27 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
28 characterization of the thereof (including Plaintiffs' use of the phrase "For example").

1 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
2 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
3 Paragraph 126 and its footnote(s).

4 127. Defendants deny the allegations and conclusory characterizations of Paragraph  
5 127. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

6 128. Defendants deny the allegations of the first sentence of Paragraph 128. The  
7 second and third sentences of Paragraph 128 purport to quote an article published on  
8 LiveRamp's website, cited in footnote 122 of the FAC. The fourth and fifth sentences of  
9 Paragraph 128 purport to quote a YouTube video, cited in footnotes 123 and 124 of the FAC.  
10 Defendants admit that the quoted language appears in the cited sources, but respectfully refer the  
11 Court to those sources themselves for their full context and substance. Defendants deny that  
12 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
13 characterization thereof. Defendants affirmatively state that LiveRamp's products and services  
14 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
15 conclusory characterizations of Paragraph 128 and its footnote(s).

16 129. Defendants deny the allegations of the first sentence of Paragraph 129.  
17 Defendants admit that Oracle halted its ad tech and data brokering business in late 2024 and that  
18 this occurred after Oracle settled a lawsuit alleging privacy violations against Oracle. Defendants  
19 lack sufficient knowledge to admit or deny the allegations of the third sentence of Paragraph 129  
20 and footnote 126 of the FAC, which relate to the business offerings of another entity, and for that  
21 reason deny the allegations, except that Defendants admit the quoted language in footnote 126 of  
22 the FAC appears in the quoted source, and respectfully refer the Court to the source itself for its  
23 full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or  
24 provide full context and deny Plaintiffs' characterization thereof. The fourth and fifth sentences  
25 purport to quote from an article published on LiveRamp's website, cited in footnotes 127 and  
26 128 of the FAC. Defendants admit that the quoted language appears in the cited article, but  
27 respectfully refer the Court to the article itself for its full context and substance. Defendants deny  
28 that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'

1 characterization thereof, including the implied assertions that LiveRamp creates content sold on  
 2 Data Marketplace or that LiveRamp's offerings or services are identical to Oracle's. Defendants  
 3 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
 4 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
 5 Paragraph 129 and its footnote(s).

6 130. Defendants deny the allegations and conclusory characterizations of Paragraph  
 7 130, except that Defendants admit the quoted language appears in the article published on  
 8 LiveRamp's website, cited in footnotes 129 and 130 of the FAC. Defendants respectfully refer  
 9 the Court to the article itself for its full context and substance. Defendants deny that Plaintiffs'  
 10 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
 11 thereof, including the characterization that LiveRamp creates content sold on Data Marketplace.  
 12 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
 13 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
 14 Paragraph 130 and its footnote(s).

15 131. Defendants deny the allegations and conclusory characterizations of Paragraph  
 16 131, except that Defendants admit the quoted language appears in the article published on  
 17 LiveRamp's website, cited in footnote 131 of the FAC. Defendants respectfully refer the Court to  
 18 the article itself for its full context and substance. Defendants deny that Plaintiffs' selective  
 19 quotations are complete or provide full context and deny Plaintiffs' characterization thereof,  
 20 including the characterization that LiveRamp creates content sold on Data Marketplace.  
 21 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
 22 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
 23 Paragraph 131 and its footnote(s).

24 **G. LiveRamp's Practices are Recognized as Highly Offensive and Threats to**  
 25 **Individual Privacy.**

26 132. The first, eighth, and ninth sentences of Paragraph 132 are improperly  
 27 argumentative (including referring to RapLeaf as "notoriously privacy-invasive company" and  
 28 engaged in "privacy invasive" and "'creepy' practices") and Defendants therefore deny the

1 allegations of those sentences. The ninth sentence also contains legal conclusions to which no  
2 response is required. Defendants lack sufficient knowledge to admit or deny the allegations in  
3 the second, third, fourth, fifth, and sixth sentences, as they relate to entities other than LiveRamp,  
4 and thus deny them on that basis. The fourth sentence and footnote 135 of the FAC purport to  
5 quote from three articles, cited in footnotes 133 and 135 of the FAC. Defendants admit that the  
6 quotes appear in the quoted sources and respectfully refer the Court to the articles themselves  
7 itself for their full context and substance. Defendants deny that Plaintiffs' selective quotations  
8 are complete or provide full context and deny Plaintiffs' characterization thereof. With respect to  
9 the seventh sentence, Defendants admit that RapLeaf created a data onboarding division named  
10 LiveRamp in 2011 and that the division was acquired by Acxiom in 2014. Defendants  
11 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
12 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
13 Paragraph 132 and its footnote(s).

14 133. Defendants deny the first sentence of Paragraph 133. Defendants admit LiveRamp  
15 was privately held when it was acquired by Acxiom in 2014 for approximately \$310 million.  
16 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
17 of Paragraph 133 and its footnote(s).

18 134. Defendants lack sufficient knowledge to admit or deny the allegations and  
19 conclusory characterizations of Paragraph 134 as they relate to entities other than Defendants  
20 and on that basis deny them. Defendants affirmatively state that LiveRamp's products and  
21 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
22 conclusory characterizations of Paragraph 134 and its footnote(s).

23 135. Defendants admit that in 2018, Acxiom reorganized into two business units,  
24 LiveRamp and Acxiom Marketing Solutions. Defendants admit LiveRamp received Acxiom's  
25 identity assets, including IdentityLink, AbiliTecID, and Acxiom's TV integrations. Defendants  
26 admit that RampID is the new term for IdentityLink. Paragraph 135 purports to quote from a  
27 document published on LiveRamp's website and cited in footnote 143 of the FAC. Defendants  
28 admit that the quote appears in the quoted source and respectfully refer the Court to the

1 document itself for its full context and substance. Defendants deny that Plaintiffs' selective  
2 quotations are complete or provide full context and deny Plaintiffs' characterization thereof. To  
3 the extent that the allegations of Paragraph 135 relate to third parties to this action, Defendants  
4 deny knowledge or information sufficient to form a belief as to the truth of these allegations and,  
5 therefore, deny the allegations. Except as expressly admitted, Defendants deny the allegations  
6 and conclusory characterizations of Paragraph 135 and its footnote(s).

7 136. Defendants admit that, when Acxiom reorganized into two business units in 2018,  
8 Acxiom Marketing Solutions (AMS) took on the company's remaining "Audience Solutions"  
9 lines of business for data and data services and the company's marketing services. Defendants  
10 admit Acxiom sold AMS to the Interpublic Group of Companies, Inc. in 2018. Defendants lack  
11 sufficient knowledge to admit or deny the allegations of Paragraph 136 about the Interpublic  
12 Group of Companies Inc. and on that basis deny them. Except as expressly admitted, Defendants  
13 deny the allegations and conclusory characterizations of Paragraph 136 and its footnote(s)  
14 (including the allegation that Acxiom was facing intensified regulatory scrutiny).

15 137. Paragraph 137 purports to quote an article, cited in footnotes 147 and 148 of the  
16 FAC. Defendants admit that the quoted language appears in that article but respectfully refer the  
17 Court to that article itself for its full context and substance. Defendants deny that Plaintiffs'  
18 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
19 thereof. Defendants affirmatively state that LiveRamp's products and services are privacy-  
20 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
21 characterizations of Paragraph 137 and its footnote(s).

22 138. Defendants lack sufficient knowledge of the source(s) cited in the first sentence of  
23 Paragraph 138, which purports to quote the comments of then-FTC Commission Chairwoman  
24 Edith Ramirez, to admit or deny those allegations and on that basis Defendants deny them. The  
25 remaining allegations of the first sentence purport to describe the subjective mental states of  
26 unidentified third parties, which is a topic on which Defendants lack sufficient knowledge and  
27 facts to admit or deny, and on that basis Defendants deny those allegations. Defendants  
28 affirmatively state that LiveRamp's products and services are privacy-centric. Except as



1 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
2 Paragraph 138 and its footnote(s).

3 139. Defendants lack sufficient knowledge to admit or deny the allegations of the first  
4 sentence of Paragraph 139, which purports to describe the subjective mental states of  
5 unidentified third parties, and on that basis deny those allegations. The remainder of Paragraph  
6 139 purports to describe an article, cited in footnotes 150, 151, and 152 of the FAC. Defendants  
7 admit that the quoted language appears in that article but respectfully refer the Court to that  
8 article itself for its full context and substance. Defendants deny that Plaintiffs' selective  
9 quotations are complete or provide full context and deny Plaintiffs' characterization thereof.  
10 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
11 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
12 Paragraph 139 and its footnote(s).

13 140. Paragraph 140 purports to quote from an article, cited in footnote 153 of the FAC.  
14 Defendants admit that the quoted language appears in that article but respectfully refer the Court  
15 to that article itself for its full context and substance. Defendants deny that Plaintiffs' selective  
16 quotations are complete or provide full context and deny Plaintiffs' characterization thereof.  
17 Defendants deny that the quoted source accurately or completely characterizes the relevant  
18 conduct, including the characterization that LiveRamp's products can be used for law  
19 enforcement purposes. Defendants affirmatively state that LiveRamp's products and services are  
20 privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
21 characterizations of Paragraph 140 and its footnote(s).

22 141. Defendants admit that two individual writers for Slate.com wrote an article  
23 entitled the "Evil List" purporting to list companies that the authors viewed as the most evil and  
24 that the article contains the quoted language. The list included Disney, IBM, Airbnb, Verizon,  
25 Tesla, Apple, Uber, Amazon, and Alphabet (among others). Defendants deny that the quoted  
26 source accurately or completely characterizes the relevant conduct, and expressly deny any  
27 suggestion in the quoted source that LiveRamp's routine commercial conduct is somehow "evil"  
28 or harmful. Defendants affirmatively state that LiveRamp's products and services are privacy-

1 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
2 characterizations of Paragraph 141 and its footnote(s).

3 142. Paragraph 142 purports to quote from an article, cited in footnotes 155 of the  
4 FAC. Defendants admit that the quoted language appears in that article but respectfully refer the  
5 Court to that article itself for its full context and substance. Defendants deny that Plaintiffs'  
6 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
7 thereof. Defendants deny that the quoted source accurately or completely characterizes the  
8 relevant conduct, including the characterization that LiveRamp constructs a "profile" about an  
9 individual's "viability as a consumer." Defendants affirmatively state that LiveRamp's products  
10 and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations  
11 and conclusory characterizations of Paragraph 142 and its footnote(s).

12 143. Defendants admit that LiveRamp offers, and markets itself as offering, privacy-  
13 first, cookieless advertising solutions. To the extent that the allegations of the first sentence of  
14 Paragraph 143 relate to third parties to this action, Defendants deny knowledge or information  
15 sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations.  
16 The second, third, and fourth sentences of Paragraph 143 purport to describe an article, cited in  
17 footnotes 156, 157, and 158 of the FAC. Defendants admit that the quoted language appears in  
18 that article but respectfully refer the Court to that article itself for its full context and substance.  
19 Defendants deny that Plaintiffs' selective quotations are complete or provide full context and  
20 deny Plaintiffs' characterization thereof. Defendants deny that the quoted source accurately or  
21 completely characterizes the relevant conduct, including the characterizations that LiveRamp's  
22 products "create persistent, identifiable connections." To the extent that the allegations of  
23 Paragraph 142 relate to third parties to this action, Defendants deny knowledge or information  
24 sufficient to form a belief as to the truth of these allegations and, therefore, deny the allegations.  
25 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
26 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
27 Paragraph 143 and its footnote(s).

1           144. Defendants deny the first and sixth sentences of Paragraph 144. The second, third,  
2 fourth, and fifth sentences purport to describe an article, cited in footnotes 159, 160, 161, and  
3 162 of the FAC. Defendants admit that the quoted language appears in that article but  
4 respectfully refer the Court to that article itself for its full context and substance. Defendants  
5 deny that Plaintiffs’ selective quotations are complete or provide full context and deny Plaintiffs’  
6 characterization thereof. Further, Defendants affirmatively state that individuals have numerous  
7 options to opt out of the processing and sale of personal information (including services that will  
8 submit these requests on behalf of the individual) and that, since at least 2018, tools such as  
9 browser extensions and plug-ins to modify how or to what extent information is collected and  
10 processed have been widely available. Defendants further affirmatively state that under the  
11 California and Oregon Consumer Privacy Acts, like those of many other states, consumers have  
12 the right to opt-out (or opt-in, depending on the law and applicable data category) to the  
13 processing and sale of their personally identifiable information and, in accordance with the laws,  
14 LiveRamp provides mechanisms for consumers to exercise those rights. Defendants  
15 affirmatively state that LiveRamp’s products and services are privacy-centric. Except as  
16 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
17 Paragraph 144 and its footnote(s).

18           145. Defendants deny the allegations and conclusory characterizations of Paragraph  
19 145, except that Defendants admit that the California Privacy Protection Agency published a  
20 Final Statement of Reasons associated with regulations in Title 11 of the California Code of  
21 Regulations—regulations that Defendants are not alleged to have violated—and that the Final  
22 Statement of Reasons includes the language that appears in quotes in Paragraph 145 and footnote  
23 163 of the FAC. Defendants respectfully refer the Court to the Final Statement of Reasons itself  
24 for its full context and substance. Defendants deny that Plaintiffs’ selective quotations are  
25 complete or provide full context and deny Plaintiffs’ characterization thereof. Except as  
26 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
27 Paragraph 145 and footnote 163 of the FAC, including the characterization that the California  
28 Privacy Protection Agency “singled out LiveRamp’s data collection and identity resolution

1 practices as particularly expansive.” Defendants affirmatively state that LiveRamp’s products  
2 and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations  
3 of Paragraph 145 and its footnote(s).

4 146. Defendants lack sufficient knowledge of the source(s) cited in Paragraph 146,  
5 which purports to quote a complaint the FTC filed against Avast in 2024, to admit or deny those  
6 allegations and on that basis Defendants deny them. Defendants further lack sufficient  
7 knowledge to admit or deny the accuracy of the allegations regarding Avast’s business practices  
8 and on that basis deny those allegations. Defendants affirmatively state that LiveRamp’s  
9 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
10 allegations and conclusory characterizations of Paragraph 146.

11 147. Defendants lack sufficient knowledge to admit or deny the accuracy of the FTC’s  
12 allegations regarding Avast’s business practices and on that basis deny Paragraph 147.  
13 Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except  
14 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
15 Paragraph 147 and its footnote(s).

16 148. Defendants deny the allegations of the first sentence of Paragraph 148. The  
17 remaining allegations of Paragraph 148 purport to quote statements by an entity called Open  
18 Rights Group. Defendants admit that Open Rights Group submitted complaints about  
19 LiveRamp’s practices to the UK Information Commissioner’s Office (“ICO”) and the French  
20 Commission Nationale de l’informatique et des Libertés (“CNIL”). Defendants admit that the  
21 quoted language appears in articles cited in footnotes 165, 166, and 167 of the FAC, but  
22 respectfully refer the Court to those articles themselves for their full context and substance.  
23 Defendants deny that Plaintiffs’ selective quotations are complete or provide full context and  
24 deny Plaintiffs’ characterization thereof. Defendants deny that the quoted source accurately or  
25 completely characterizes LiveRamp’s business, including that LiveRamp’s practices are “more  
26 intrusive and pervasive than previous adtech technologies” and that its technologies are  
27 “dangerous.” Defendants affirmatively state that LiveRamp’s products and services are privacy-  
28

1 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
2 characterizations of Paragraph 148 and its footnote(s).

3 **H. Effective Consent to LiveRamp's Practices is Impossible.**

4 149. Paragraph 149 contains one or more legal conclusions to which no response is  
5 required. To the extent any response is required, Defendants deny the argumentative, vague, and  
6 conclusory allegations and characterizations of Paragraph 149. Defendants affirmatively state  
7 that individuals have numerous options to opt out of the processing and sale of personal  
8 information (including services that will submit these requests on behalf of the individual) and  
9 that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what  
10 extent information is collected and processed have been widely available. Defendants further  
11 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
12 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
13 applicable data category) to the processing and sale of their personally identifiable information  
14 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
15 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
16 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
17 characterizations of Paragraph 149.

18 150. Defendants deny the argumentative, vague, and conclusory allegations and  
19 characterizations of Paragraph 150. Further, Defendants affirmatively state that individuals have  
20 numerous options to opt out of the processing and sale of personal information (including  
21 services that will submit these requests on behalf of the individual) and that, since at least 2018,  
22 tools such as browser extensions and plug-ins to modify how or to what extent information is  
23 collected and processed have been widely available. Defendants further affirmatively state that  
24 under the California and Oregon Consumer Privacy Acts, like those of many other  
25 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
26 category) to the processing and sale of their personally identifiable information and, in  
27 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
28 rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

1 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
2 of Paragraph 150.

3 151. Defendants deny the argumentative, vague, and conclusory allegations and  
4 characterizations in the first and third sentence of Paragraph 151. With respect to the second  
5 sentence, Defendants admit that in many cases LiveRamp does not have a direct relationship  
6 with consumers as defined by Cal. Civ. Code § 1798.99.80, but state that LiveRamp's customers  
7 and partners have such relationships and that users of the internet consent to LiveRamp's  
8 practices in a many different ways and that, in light of the ubiquity of privacy policies disclosing  
9 the collection and sale of data (among other sources), reasonable users of the internet cannot  
10 reasonably claim not to have been aware of and have consented to LiveRamp's practices.  
11 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
12 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
13 Paragraph 151.

14 152. Paragraph 152 contains one or more legal conclusions as to which no response is  
15 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
16 vague, and conclusory allegations and characterizations of Paragraph 152 and specifically deny  
17 that LiveRamp creates "comprehensive identity profiles" or engages in "surveillance".  
18 Defendants affirmatively state that individuals have numerous options to opt out of the  
19 processing and sale of personal information (including services that will submit these requests on  
20 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
21 ins to modify how or to what extent information is collected and processed have been widely  
22 available. Defendants further affirmatively state that under the California and Oregon Consumer  
23 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
24 depending on the law and applicable data category) to the processing and sale of their personally  
25 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
26 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
27 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
28 conclusory characterizations of Paragraph 152.

1           153. Defendants deny the argumentative, vague, and conclusory allegations and  
2 characterizations of the first sentence of Paragraph 153. The second sentence of Paragraph 153  
3 purports to quote the Findings and Declarations of the California Privacy Rights Act (CPRA).  
4 Defendants admit that the quoted language appears in document cited in footnote 168 of the  
5 FAC, but respectfully refer the Court to that document itself for its full context and substance.  
6 Defendants deny that Plaintiffs' selective quotations are complete or provide full context and  
7 deny Plaintiffs' characterization thereof. With respect to the third sentence of Paragraph 153,  
8 Defendants admit that in many cases LiveRamp does not have a direct relationship with  
9 consumers as defined by Cal. Civ. Code § 1798.99.80, but state that LiveRamp's customers and  
10 partners have such relationships and that users of the internet consent to LiveRamp's practices in  
11 a many different ways and that, in light of the ubiquity of privacy policies disclosing the  
12 collection and sale of data (among other sources), reasonable users of the internet cannot  
13 reasonably claim not to have been aware of and have consented to LiveRamp's practices.  
14 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
15 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
16 Paragraph 153 and its footnote(s).

17           154. Paragraph 154 contains one or more legal conclusions as to which no response is  
18 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
19 vague, and conclusory allegations and characterizations of Paragraph 154. Defendants  
20 affirmatively state that individuals have numerous options to opt out of the processing and sale  
21 of personal information (including services that will submit these requests on behalf of the  
22 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
23 how or to what extent information is collected and processed have been widely available.  
24 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
25 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
26 on the law and applicable data category) to the processing and sale of their personally  
27 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
28 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and



1 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
2 conclusory characterizations of Paragraph 154.

3 155. Paragraph 155 contains one or more legal conclusions as to which no response is  
4 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
5 characterizations of the first sentence of Paragraph 155. With respect to the second sentence of  
6 Paragraph 155, Defendants admit that there are circumstances in which LiveRamp obtains  
7 information related to individuals without having directly asked those individuals for consent but  
8 deny that those individuals did not in fact consent to LiveRamp's receipt of the information.  
9 LiveRamp otherwise deny the allegations in sentence two. With respect to sentences three  
10 through six of Paragraph 155, Defendants admit that in many cases LiveRamp does not have a  
11 direct relationship with consumers as defined by Cal. Civ. Code § 1798.99.80, but state that  
12 LiveRamp's customers and partners have such relationships and that users of the internet consent  
13 to LiveRamp's practices in a many different ways and that, in light of the ubiquity of privacy  
14 policies disclosing the collection and sale of data (among other sources), reasonable users of the  
15 internet cannot reasonably claim not to have been aware of and have consented to LiveRamp's  
16 practices. Defendants affirmatively state that individuals have numerous options to opt out of the  
17 processing and sale of personal information (including services that will submit these requests on  
18 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
19 ins to modify how or to what extent information is collected and processed have been widely  
20 available. Defendants further affirmatively state that under the California and Oregon Consumer  
21 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
22 depending on the law and applicable data category) to the processing and sale of their personally  
23 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
24 consumers to exercise those rights. Defendants further admit that LiveRamp, Inc. is registered as  
25 a data broker in California and that the quoted language in the third sentence appears in Cal. Civ.  
26 Code § 1798.99.80, but otherwise deny the allegations of the third sentence of Paragraph 155.  
27 Except as expressly admitted above, Defendants lack sufficient knowledge to admit or deny the  
28 allegations of the fifth and sixth sentences of Paragraph 155 and on that basis deny them.

1 Defendants affirmatively state that LiveRamp’s products and services are privacy-centric. Except  
2 as expressly admitted, Defendants deny the argumentative, vague, and conclusory allegations  
3 and characterizations of Paragraph 155.

4 156. Paragraph 156 contains one or more legal conclusions as to which no response is  
5 required. To the extent a response is deemed necessary, Defendants deny the first sentence of  
6 Paragraph 156. Defendants admit that LiveRamp publishes privacy policies on its website—  
7 along with other policies, notices, and disclosures not referenced in Paragraph 156—but  
8 otherwise deny the allegations and characterizations in the second sentence of Paragraph 156.  
9 Defendants deny the third sentence of Paragraph 156. With respect to the fourth sentence of  
10 Paragraph 156, Defendants admit that the privacy policy document cited in footnote 169 of the  
11 FAC does not include the precise term “Data Marketplace,” but otherwise deny the allegation  
12 that it does not have published data policies or other disclosures relevant to the Data  
13 Marketplace. Defendants deny the remaining argumentative, vague, and conclusory allegations  
14 and characterizations of Paragraph 156, including the allegation that LiveRamp engages in  
15 “pervasive identity surveillance.” Defendants affirmatively state that individuals have numerous  
16 options to opt out of the processing and sale of personal information (including services that will  
17 submit these requests on behalf of the individual) and that, since at least 2018, tools such as  
18 browser extensions and plug-ins to modify how or to what extent information is collected and  
19 processed have been widely available. Defendants further affirmatively state that under the  
20 California and Oregon Consumer Privacy Acts, like those of many other states, consumers have  
21 the right to opt-out (or opt-in, depending on the law and applicable data category) to the  
22 processing and sale of their personally identifiable information and, in accordance with the laws,  
23 LiveRamp provides mechanisms for consumers to exercise those rights. Defendants  
24 affirmatively state that LiveRamp’s products and services are privacy-centric. Except as  
25 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
26 Paragraph 156 and its footnote(s).

27 157. Defendants deny the argumentative, vague, and conclusory allegations and  
28 characterizations of the first and fourth sentences of Paragraph 157. As to the second sentence,

1 Defendants admit that that there are many websites that have privacy policies (or terms and  
2 conditions) that inform consumers that these websites track consumer behavior and share  
3 information about that behavior with third-parties for the purposes of ad delivery (among other  
4 purposes). These policies / terms and conditions plainly put consumers on notice that their  
5 interactions on the internet are not private. Defendants specifically deny the words “barrage” and  
6 “purported,” which are argumentative. The third sentence purports to summarize findings of a  
7 study published some 17 years ago. Defendants deny Plaintiffs’ characterization of these  
8 findings and lack information sufficient to form a belief as to the validity of these findings and  
9 on that basis deny the allegations of the third sentence. Defendants affirmatively state that  
10 LiveRamp’s products and services are privacy-centric. Except as expressly admitted, Defendants  
11 deny the allegations and conclusory characterizations of Paragraph 157 and its footnote(s).

12 158. Paragraph 158 contains one or more legal conclusions as to which no response is  
13 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
14 vague, and conclusory allegations in the first sentence of Paragraph 158. Defendants lack  
15 knowledge or information sufficient to form a belief about the truth of Plaintiffs’ allegations  
16 about what happens on unidentified websites referenced in Paragraph 158 and on that basis deny  
17 the allegations of the second sentence of Paragraph 158. Defendants deny the allegations in the  
18 third sentence of Paragraph 158, including the allegation that LiveRamp assembles  
19 “comprehensive data profiles” based on “behavior tracking.” Defendants affirmatively state that  
20 individuals have numerous options to opt out of the processing and sale of personal information  
21 (including services that will submit these requests on behalf of the individual) and that, since at  
22 least 2018, tools such as browser extensions and plug-ins to modify how or to what extent  
23 information is collected and processed have been widely available. Defendants further  
24 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
25 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
26 applicable data category) to the processing and sale of their personally identifiable information  
27 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
28 those rights. Defendants affirmatively state that LiveRamp’s products and services are privacy-

1 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
2 characterizations of Paragraph 158 and its footnote(s).

3 159. Paragraph 159 contains one or more legal conclusions as to which no response is  
4 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
5 vague, and conclusory allegations and characterizations Paragraph 159, including the allegation  
6 that LiveRamp engages in “surveillance” and creates “comprehensive identity profiles.”  
7 Defendants affirmatively state that individuals have numerous options to opt out of the  
8 processing and sale of personal information (including services that will submit these requests on  
9 behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-  
10 ins to modify how or to what extent information is collected and processed have been widely  
11 available. Defendants further affirmatively state that under the California and Oregon Consumer  
12 Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in,  
13 depending on the law and applicable data category) to the processing and sale of their personally  
14 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
15 consumers to exercise those rights. Defendants affirmatively state that LiveRamp’s products and  
16 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
17 conclusory characterizations of Paragraph 159.

18 160. Paragraph 160 contains one or more legal conclusions as to which no response is  
19 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
20 vague, and conclusory allegations and characterizations of Paragraph 160. Defendants  
21 affirmatively state that individuals have numerous options to opt out of the processing and sale  
22 of personal information (including services that will submit these requests on behalf of the  
23 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
24 how or to what extent information is collected and processed have been widely available.  
25 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
26 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
27 on the law and applicable data category) to the processing and sale of their personally  
28 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for

1 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
2 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
3 conclusory characterizations of Paragraph 160.

4 161. Defendants deny the argumentative, vague, and conclusory allegations and  
5 characterizations of Paragraph 161. Defendants affirmatively state that LiveRamp's products and  
6 services are privacy-centric.

7 162. Paragraph 162 contains one or more legal conclusions as to which no response is  
8 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
9 vague, and conclusory allegations and characterizations of Paragraph 162. Defendants  
10 affirmatively state that individuals have numerous options to opt out of the processing and sale  
11 of personal information (including services that will submit these requests on behalf of the  
12 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
13 how or to what extent information is collected and processed have been widely available.  
14 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
15 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
16 on the law and applicable data category) to the processing and sale of their personally  
17 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
18 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
19 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
20 conclusory characterizations of Paragraph 162.

21 163. Defendants deny the argumentative, vague, and conclusory allegations and  
22 characterizations of Paragraph 163. Defendants affirmatively state that individuals have  
23 numerous options to opt out of the processing and sale of personal information (including  
24 services that will submit these requests on behalf of the individual) and that, since at least 2018,  
25 tools such as browser extensions and plug-ins to modify how or to what extent information is  
26 collected and processed have been widely available. Defendants further affirmatively state that  
27 under the California and Oregon Consumer Privacy Acts, like those of many other  
28 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data

category) to the processing and sale of their personally identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 163.

## **VIII. CLASS ALLEGATIONS**

164. Paragraph 164 purports to contain Plaintiffs' putative class definitions to which no response is required. To the extent any response is necessary, Defendants deny the allegations of Paragraph 164.

165. Paragraph 165 purports to contain Plaintiffs' putative class definitions to which no response is required. To the extent any response is necessary, Defendants deny the allegations of Paragraph 165.

166. Paragraph 166 purports to contain Plaintiffs' reservation of rights regarding putative class definitions to which no response is required. To the extent any response is necessary, Defendants deny the allegations of Paragraph 166.

167. Paragraph 167 contains one or more legal conclusions to which no response is required. To the extent any response is required, Defendants deny the allegations and conclusory characterizations of Paragraph 167.

## **IX. CAUSES OF ACTION**

### **First Cause of Action Invasion of Privacy Under the California Constitution (on behalf of the California Sub-Class)**

168. Defendants reincorporate by reference all responses previously made herein.

169. Paragraph 169 contains statements of law to which no response is required. To the extent any response is required, Defendants admit that Article I, section 1 of the California Constitution includes the language that is quoted in the first two sentences of Paragraph 169 and respectfully refer the Court to that provision for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof, including Plaintiffs' inclusion of italics. As to the third sentence of

1 Paragraph 169, Defendants admit that the phrase “and privacy” was added in 1972 and adopted  
2 by California voters. Except as expressly admitted, Defendants deny the allegations and  
3 characterizations of Paragraph 169.

4 170. Paragraph 170 contains statements of law and legal conclusions to which no  
5 response is required. To the extent any response is required, Defendants admit that in 1972  
6 California voters approved a legislatively referred constitutional amendment designated as  
7 Proposition 11 which amended Article I, Section 1 of the California Constitution. Defendants  
8 admit that the language quoted in Paragraph 170 appears in the ballot argument document that is  
9 cited in footnote 172 of the FAC and respectfully refer the Court to the document itself for its  
10 full context and substance. Defendants deny that Plaintiffs’ selective quotations are complete or  
11 provide full context and deny Plaintiffs’ characterization thereof. Except as expressly admitted,  
12 Defendants deny the allegations of Paragraph 170 and its footnote(s).

13 171. Paragraph 171 contains legal conclusions to which no response is required. To the  
14 extent any response is required, Defendants deny the allegations and conclusory  
15 characterizations of Paragraph 171, except that Defendants admit the language quoted in the  
16 second sentence of Paragraph 171 appears in the document cited in footnote 173 of the FAC and  
17 respectfully refer the Court to the document itself for its full context and substance. Defendants  
18 deny that Plaintiffs’ selective quotations are complete or provide full context and deny Plaintiffs’  
19 characterization thereof. Defendants affirmatively state that LiveRamp’s products and services  
20 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
21 conclusory characterizations of Paragraph 171 and its footnote(s) and expressly deny that  
22 LiveRamp contravenes the California Constitution, misuses information, and creates cradle-to-  
23 grave profiles of members of the putative class.

24 172. Paragraph 172 includes one or more legal conclusions as to which no response is  
25 required. To the extent a response is deemed necessary, Defendants admit that in certain  
26 contexts, Plaintiffs and members of the California Sub-Class have a reasonable expectation of  
27 privacy in regard to some of the conduct they engage in, but deny that Defendants have in any  
28 way violated Plaintiffs’ (or the absent class members’) privacy rights. Defendants affirmatively



1 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
2 Defendants deny the argumentative, vague, and conclusory allegations and characterizations of  
3 Paragraph 172.

4 173. Paragraph 173 contains legal conclusions to which no response is required. To the  
5 extent any response is required, Defendants deny the allegations and conclusory  
6 characterizations of Paragraph 173. Defendants affirmatively state that LiveRamp's products and  
7 services are privacy-centric.

8 174. Paragraph 174 contains one or more legal conclusions to which no response is  
9 required. To the extent any response is required, Defendants deny the allegations of the first,  
10 second, and fourth sentences Paragraph 174. Defendants admit that LiveRamp has offline,  
11 online, and other pseudonymized information (such as names, postal addresses, phone numbers,  
12 email addresses, cookies, and mobile device IDs) stored separately in its offline and online that  
13 could be related to Plaintiff Riganian and the putative California Sub-Class members, but  
14 otherwise deny the allegations of the third sentence of Paragraph 174. Defendants affirmatively  
15 state that LiveRamp's products and services are privacy-centric. Except as expressly admitted,  
16 Defendants deny the allegations and conclusory characterizations of Paragraph 174.

17 175. Defendants deny the argumentative, vague, and conclusory allegations and  
18 characterizations of Paragraph 175. Defendants affirmatively state that LiveRamp's products and  
19 services are privacy-centric.

20 176. Paragraph 176 contains one or more legal conclusions to which no response is  
21 required. To the extent any response is required, Defendants deny the argumentative, vague, and  
22 conclusory allegations and characterizations of Paragraph 176. Defendants affirmatively state  
23 that individuals have numerous options to opt out of the processing and sale of personal  
24 information (including services that will submit these requests on behalf of the individual) and  
25 that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what  
26 extent information is collected and processed have been widely available. Defendants further  
27 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
28 many other states, consumers have the right to opt-out (or opt-in, depending on the law and

1 applicable data category) to the processing and sale of their personally identifiable information  
2 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
3 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
4 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
5 characterizations of Paragraph 176.

6 177. Defendants deny the allegations and conclusory characterizations of Paragraph  
7 177. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

8 178. Defendants admit that a handful of individuals have raised questions about  
9 purported LiveRamp practices, typically in a manner that betrays an incomplete or inaccurate  
10 understanding of what those practices actually entail. Defendants admit that a handful of  
11 individuals have raised questions about purported LiveRamp practices, typically in a manner that  
12 betrays an incomplete or inaccurate understanding of what those practices actually entail.  
13 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
14 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
15 Paragraph 178 (including the implicit claim that Plaintiffs have accurately described LiveRamp's  
16 business).

17 179. Defendants deny the first sentence of Paragraph 179. As to the second sentence,  
18 Defendants admit that the language quoted in the FAC appears in the document cited in footnote  
19 174 of the FAC which purports to be a letter signed by Senator Ron Wyden. The letter does not  
20 reference LiveRamp but instead concerns the sale of personal data by credit agencies.  
21 Defendants admit that the language quoted in the third sentence of Paragraph 179 appears in the  
22 document cited in footnote 175 of the FAC which purports to be a blog post on the website for  
23 the Federal Trade Commission. The blog post does not reference LiveRamp. Defendants  
24 respectfully refer the Court to the letter and blog post for the full context and substance of those  
25 materials. Defendants deny that Plaintiffs' selective quotations are complete or provide full  
26 context and deny Plaintiffs' characterization thereof. Except as expressly admitted, Defendants  
27 deny the allegations and conclusory characterizations of Paragraph 179. Defendants  
28 affirmatively state that LiveRamp's products and services are privacy-centric and its footnote(s).

1           180. Paragraph 180 contains legal conclusions as to which no response is necessary.  
2 To the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
3 characterizations of Paragraph 180. Defendants affirmatively state that LiveRamp's products and  
4 services are privacy-centric.

5           181. Paragraph 181 contains legal conclusions as to which no response is necessary.  
6 To the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
7 characterizations of Paragraph 181. Defendants affirmatively state that LiveRamp's products and  
8 services are privacy-centric.

9           182. Paragraph 182 contains legal conclusions as to which no response is necessary.  
10 To the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
11 characterizations of Paragraph 182. Defendants affirmatively state that LiveRamp's products and  
12 services are privacy-centric.

13           183. Paragraph 183 contains legal conclusions to which no response is required. To the  
14 extent any response is necessary, Defendants deny the allegations and conclusory  
15 characterizations of Paragraph 183. Defendants affirmatively state that individuals have  
16 numerous options to opt out of the processing and sale of personal information (including  
17 services that will submit these requests on behalf of the individual) and that, since at least 2018,  
18 tools such as browser extensions and plug-ins to modify how or to what extent information is  
19 collected and processed have been widely available. Defendants further affirmatively state that  
20 under the California and Oregon Consumer Privacy Acts, like those of many other  
21 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
22 category) to the processing and sale of their personally identifiable information and, in  
23 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
24 rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
25 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
26 of Paragraph 183.

27           184. Paragraph 184 contains legal conclusions to which no response is required. To the  
28 extent any response is necessary, Defendants deny the allegations and conclusory

1 characterizations of Paragraph 184. Defendants affirmatively state that LiveRamp's products and  
2 services are privacy-centric.

3 185. Paragraph 185 contains legal conclusions to which no response is required. To the  
4 extent any response is necessary, Defendants deny the allegations and conclusory  
5 characterizations of Paragraph 185. Defendants affirmatively state that LiveRamp's products and  
6 services are privacy-centric.

7  
8 **Second Cause of Action**  
9 **Intrusion Upon Seclusion Under California Common Law**  
10 **(on behalf of the United States Class)**

11 186. Defendants reincorporate by reference all responses previously made herein.

12 187. Paragraph 187 contains legal conclusions to which no response is required. To the  
13 extent any response is required, Defendants deny the allegations of Paragraph 187.

14 188. Paragraph 188 contains statements of law to which no response is required. To the  
15 extent any response is required, Defendants deny that the allegations of Paragraph 188 accurately  
16 describe a plaintiff's burden when pursuing a claim for intrusion upon seclusion.

17 189. Paragraph 189 contains legal conclusions as to which no response is necessary.  
18 To the extent a response is deemed necessary, Defendants admit that in certain contexts,  
19 Plaintiffs and members of the United States Class have a reasonable expectation of privacy, but  
20 deny that they have in any way violated Plaintiffs' (or the absent putative class members')  
21 privacy rights and deny the argumentative, vague, and conclusory allegations and  
22 characterizations of Paragraph 189. Except as expressly admitted, Defendants deny the  
23 allegations and conclusory characterizations of Paragraph 189.

24 190. Paragraph 190 contains legal conclusions to which no response is required. To the  
25 extent any response is necessary, Defendants deny the allegations and conclusory  
26 characterizations of Paragraph 190. Defendants affirmatively state that LiveRamp's products and  
27 services are privacy-centric.

28 191. Paragraph 191 contains one or more legal conclusions to which no response is  
required. To the extent any response is required, Defendants deny the allegations of the first,

1 second, and fourth sentences Paragraph 191. Defendants admit that LiveRamp has offline,  
2 online, and other pseudonymized identifiers (such as names, postal addresses, phone numbers,  
3 email addresses, cookies, and mobile device IDs), stored separately in its offline and online  
4 identity graphs that could be related to Plaintiffs and putative Class members, but otherwise deny  
5 the allegations of the third sentence of Paragraph 191. Defendants affirmatively state that  
6 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
7 deny the allegations and conclusory characterizations of Paragraph 191.

8 192. Defendants deny the argumentative, vague, and conclusory allegations and  
9 characterizations of Paragraph 192, except that Defendants admit LiveRamp may receive as a  
10 result of LiveRamp's licenses of data from other sources certain offline data about certain  
11 individuals, including Plaintiffs. Defendants affirmatively state that LiveRamp's products and  
12 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
13 conclusory characterizations of Paragraph 192.

14 193. Paragraph 193 contains one or more legal conclusions to which no response is  
15 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
16 vague, and conclusory allegations and characterizations of Paragraph 193. Defendants  
17 affirmatively state that individuals have numerous options to opt out of the processing and sale  
18 of personal information (including services that will submit these requests on behalf of the  
19 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
20 how or to what extent information is collected and processed have been widely available.  
21 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
22 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
23 on the law and applicable data category) to the processing and sale of their personally  
24 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
25 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
26 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
27 conclusory characterizations of Paragraph 193.  
28

1           194. Defendants deny the allegations and conclusory characterizations of Paragraph  
2 194. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

3           195. Defendants admit that a handful of individuals have asked questions about  
4 purported LiveRamp practices, typically in a manner that betrays an incomplete or inaccurate  
5 understanding of what those practices actually entail. Defendants affirmatively state that  
6 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
7 deny the allegations and conclusory characterizations of Paragraph 195 (including the implicit  
8 claim that Plaintiffs have accurately described LiveRamp's business).

9           196. Defendants deny the first sentence of Paragraph 196. As to the second sentence,  
10 Defendants admit that the language quoted in the FAC appears in the document cited in footnote  
11 176 of the FAC which purports to be a letter signed by Senator Ron Wyden. The letter does not  
12 reference LiveRamp. Defendants admit that the language quoted in the third sentence of  
13 Paragraph 196 appears in the document cited in footnote 177 of the FAC which purports to be a  
14 blog post on the website for the Federal Trade Commission. The blog post does not reference  
15 LiveRamp. Defendants respectfully refer the Court to the letter and blog post for the full context  
16 and substance of those materials. Defendants deny that Plaintiffs' selective quotations are  
17 complete or provide full context and deny Plaintiffs' characterization thereof. Defendants  
18 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
19 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
20 Paragraph 196 and its footnote(s).

21           197. Paragraph 197 includes legal conclusions as to which no response is required. To  
22 the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
23 characterizations of Paragraph 197. Defendants affirmatively state that LiveRamp's products and  
24 services are privacy-centric.

25           198. Paragraph 198 includes legal conclusions as to which no response is required. To  
26 the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
27 characterizations of Paragraph 198. Defendants affirmatively state that LiveRamp's products and  
28 services are privacy-centric.

1           199. Defendants deny the allegations and conclusory characterizations of Paragraph  
2 199. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

3           200. Paragraph 200 contains legal conclusions to which no response is required. To the  
4 extent any response is required, Defendants deny the allegations and conclusory  
5 characterizations of Paragraph 200. Defendants affirmatively state that LiveRamp's products and  
6 services are privacy-centric.

7           201. Paragraph 201 contains allegations about the relief that Plaintiffs purport to seek,  
8 allegations to which no response is required. To the extent a response is required, Defendants  
9 deny allegations and conclusory characterizations of Paragraph 201, including that Plaintiffs are  
10 entitled to any relief. Defendants affirmatively state that LiveRamp's products and services are  
11 privacy-centric.

12           202. The first and second sentence Paragraph 202 contains allegations about the relief  
13 that Plaintiffs purport to seek, allegations to which no response is required. To the extent a  
14 response is required, Defendants deny allegations of the first sentence of Paragraph 202. The  
15 second and third sentences of Paragraph 202 contain legal conclusions as to which no response is  
16 required. To the extent a response is required, Defendants deny the allegations in those  
17 sentences. Defendants affirmatively state that LiveRamp's products and services are privacy-  
18 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
19 characterizations of Paragraph 202, including that Plaintiffs are entitled to any relief.

20           203. The first sentence Paragraph 203 contains allegations about the relief that  
21 Plaintiffs purport to seek, allegations to which no response is required. To the extent a response  
22 is required, Defendants deny allegations of the first sentence of Paragraph 203. The second and  
23 fourth sentences of Paragraph 203 state legal conclusions to which no response is required. To  
24 the extent a response is necessary, Defendants deny the allegations in the second and fourth  
25 sentence. Defendants deny the allegations in the third sentence of Paragraph 203. Defendants  
26 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
27 expressly admitted, Defendants deny the argumentative, vague, and conclusory allegations and  
28 characterizations of Paragraph 203, including that Plaintiffs are entitled to any relief.



204. The first sentence of Paragraph 204 purports to summarize Professor Miller's work. Defendants respectfully refer the Court to that work for the full context and content of that work and otherwise deny Plaintiffs' characterization of his conclusions. The second sentence Paragraph 204 contains allegations about Plaintiffs' goals and objectives, allegations to which no response is required. To the extent a response is required, Defendants deny those allegations. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 204 and its footnote(s).

**Third Cause of Action**  
**Violation of the California Invasion of Privacy Act, Cal. Penal Code §§ 630 to 638**  
**(on behalf of the ECPA and CIPA Sub-Class)**

205. Defendants reincorporate by reference all responses previously made herein.

206. Paragraph 206 contains statements of law to which no response is required. To the extent any response is required, Defendants admit that Cal. Penal Code § 630 includes the language that is quoted in the second sentence of Paragraph 206 and respectfully refer the Court to that provision for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization thereof, including Plaintiffs' inclusion of emphasis. Except as expressly admitted, Defendants deny the allegations and characterizations of Paragraph 206.

**California Penal Code § 631**

207. Paragraph 207 contains statements of law to which no response is required. To the extent any response is required, Defendants admit that Cal. Penal Code § 631(a) includes the language that is quoted in the first and second sentences of Paragraph 207 and respectfully refer the Court to that provision for its full context and substance. Regarding the third sentence, Defendants admit the quoted language appears in *Flanagan v. Flanagan*, 27 Cal. 4th 766, 769, 41 P.3d 575, 577 (2002) and respectfully refer the Court to that decision for its full context and substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs' characterization of the cited statute and court decision, including

1 Plaintiffs' use of italics of emphasis. Except as expressly admitted, Defendants deny the  
2 allegations and characterizations of Paragraph 207.

3 208. Paragraph 208 purports to quote the document cited in footnote 179 of the FAC.  
4 Defendants admit that the quoted language appears in that document but respectfully refer the  
5 Court to the document itself for its full context and substance. Defendants deny that Plaintiffs'  
6 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
7 thereof. Except as expressly admitted, Defendants deny the allegations of Paragraph 208 and its  
8 footnote(s).

9 209. Paragraph 209 contains one or more legal conclusions as to which no response is  
10 required. To the extent a response is deemed necessary, Defendants deny the first and fifth  
11 sentence of Paragraph 209. Defendants deny the second and third sentences of Paragraph 209  
12 except that Defendants admit LiveRamp's Client-Side Tags are deployed via pixels that transmit  
13 the referral URL, as set by the website's referrer URL policy, and the date and time of the visit,  
14 and that websites can configure the Client-Side Tag to transmit other information such as page  
15 views, ad views, adding items to cart, or completing a transaction. Defendants deny the  
16 allegations of the fourth sentence of Paragraph 209, except Defendants admit that any offline  
17 identifiers in the data are resolved to a RampID. Defendants affirmatively state that LiveRamp's  
18 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
19 allegations and conclusory characterizations of Paragraph 209 and its footnote(s).

20 210. Paragraph 210 contains one or more legal conclusions as to which no response is  
21 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
22 vague, and conclusory allegations and characterizations of Paragraph 210. Defendants  
23 affirmatively state that LiveRamp's products and services are privacy-centric. Except as  
24 expressly admitted, Defendants deny the allegations and conclusory characterizations of  
25 Paragraph 210.

26 211. Defendants deny the allegations and conclusory characterizations of Paragraph  
27 211. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
28

1           212. Defendants deny the allegations of Paragraph 212, except that the first and  
2 penultimate sentences of Paragraph 212 contain legal conclusions about a hypothetical situation  
3 to which no response is required. To the extent a response is required, Defendants deny the  
4 allegations and conclusory characterizations. Defendants affirmatively state that LiveRamp's  
5 products and services are privacy-centric.

6           213. Defendants deny the allegations and conclusory characterizations of Paragraph  
7 213. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

8           214. Paragraph 214 contains multiple legal conclusions as to which no response is  
9 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
10 conclusory characterizations of Paragraph 214 and its footnote(s). Defendants affirmatively state  
11 that LiveRamp's products and services are privacy-centric.

12           215. Defendants deny the allegations and conclusory characterizations of Paragraph  
13 215. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

14           216. Defendants deny the allegations of Paragraph 216, except that Defendants admit  
15 that the language quoted in footnote 184 of the FAC, which purports to quote from a document  
16 published on LiveRamp's website, appears in the quoted document. Defendants respectfully  
17 refer the Court to the article itself for its full context and substance. Defendants deny that  
18 Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
19 characterization thereof. Defendants affirmatively state that LiveRamp's products and services  
20 are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
21 conclusory characterizations of Paragraph 216 and its footnote(s).

22           217. Defendants deny the allegations and conclusory characterizations of Paragraph  
23 217. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

24           218. Paragraph 218 contains one or more legal conclusions as to which no response is  
25 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
26 conclusory characterizations of Paragraph 218. Defendants affirmatively state that individuals  
27 have numerous options to opt out of the processing and sale of personal information (including  
28 services that will submit these requests on behalf of the individual) and that, since at least 2018,

1 tools such as browser extensions and plug-ins to modify how or to what extent information is  
2 collected and processed have been widely available. Defendants further affirmatively state that  
3 under the California and Oregon Consumer Privacy Acts, like those of many other  
4 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
5 category) to the processing and sale of their personally identifiable information and, in  
6 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
7 rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
8 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
9 of Paragraph 218.

10 219. Defendants deny the allegations and conclusory characterizations of Paragraph  
11 219, except that the penultimate sentence of Paragraph 219 contains legal conclusions to which  
12 no response is required. To the extent a response is required, Defendants deny the allegations.  
13 Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

14 220. Defendants deny the allegations and conclusory characterizations of Paragraph  
15 220. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

16 221. Paragraph 221 contains legal conclusions to which no response is required. To the  
17 extent any response is necessary, Defendants deny the allegations and conclusory  
18 characterizations of Paragraph 221. Defendants affirmatively state that LiveRamp's products and  
19 services are privacy-centric.

20 222. Paragraph 222 contains legal conclusions as to which no response is required. To  
21 the extent any response is necessary, Defendants deny the allegations and conclusory  
22 characterizations of Paragraph 222. Defendants affirmatively state that LiveRamp's products and  
23 services are privacy-centric.

24 223. Paragraph 223 contains legal conclusions and provides a statement of relief  
25 sought by Plaintiffs, as to which no response is required. To the extent any response is necessary,  
26 Defendants deny the allegations and conclusory characterizations of Paragraph 223. Defendants  
27 affirmatively state that LiveRamp's products and services are privacy-centric.

28 **California Penal Code § 638.51**

1           224. Paragraph 224 contains statements of law to which no response is required. To the  
2 extent any response is required, Defendants admit that Cal. Penal Code § 638.50(b) states in part  
3 that “[p]en register” means “a device or process that records or decodes dialing, routing,  
4 addressing, or signaling information transmitted by an instrument or facility from which a wire  
5 or electronic communication is transmitted, but not the contents of a communication.” Except as  
6 expressly admitted, Defendants deny the allegations and characterizations of Paragraph 224.

7           225. Paragraph 225 contains statements of law to which no response is required. To the  
8 extent any response is required, Defendants deny the allegations of Paragraph 225, which fail to  
9 account for (among other things) statutory exceptions that permit the use of pen registers without  
10 court order under various enumerated circumstances.

11           226. Paragraph 226 contains statements of law to which no response is required. To the  
12 extent any response is required, Defendants deny the allegations of Paragraph 226.

13           227. Paragraph 227 contains one or more legal conclusions to which no response is  
14 required. To the extent any response is required, Defendants deny the allegations and conclusory  
15 characterizations of Paragraph 227. Defendants affirmatively state that LiveRamp’s products and  
16 services are privacy-centric.

17           228. Defendants admit that Defendants do not have a court order authorizing the  
18 installation of a “pen register,” but deny that they operate a pen register or that a court order is  
19 required for any of their operations. Defendants affirmatively state that LiveRamp’s products and  
20 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
21 conclusory characterizations of Paragraph 228

22           229. Defendants deny the allegations and conclusory characterizations of Paragraph  
23 229. Further, Defendants affirmatively state that individuals have numerous options to opt out of  
24 the processing and sale of personal information (including services that will submit these  
25 requests on behalf of the individual) and that, since at least 2018, tools such as browser  
26 extensions and plug-ins to modify how or to what extent information is collected and processed  
27 have been widely available. Defendants further affirmatively state that under the California and  
28 Oregon Consumer Privacy Acts, like those of many other states, consumers have the right to opt-

1 out (or opt-in, depending on the law and applicable data category) to the processing and sale of  
 2 their personally identifiable information and, in accordance with the laws, LiveRamp provides  
 3 mechanisms for consumers to exercise those rights. Defendants affirmatively state that  
 4 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
 5 deny the allegations and conclusory characterizations of Paragraph 229.

6 230. Paragraph 230 contains legal conclusions as to which no response is required. To  
 7 the extent a response is deemed necessary, Defendants deny the allegations and conclusory  
 8 characterizations of Paragraph 230. Defendants affirmatively state that LiveRamp's products and  
 9 services are privacy-centric.

10  
 11 **Fourth Cause of Action**  
 12 **Violation of the Federal Wiretap Act, 18 U.S.C. § 2510, et. seq.**  
**(on behalf of the ECPA and CIPA Sub-Class)**

13 231. Defendants reincorporate by reference all responses previously made herein.

14 232. Paragraph 232 contains statements of law to which no response is required. To the  
 15 extent any response is required, Defendants admit that 18 U.S.C. § 2511 states in part "(1)  
 16 Except as otherwise specifically provided in this chapter any person who—(a) intentionally  
 17 intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to  
 18 intercept, any wire, oral, or electronic communication ... shall be punished as provided in  
 19 subsection (4) or shall be subject to suit as provided in subsection (5)." Except as expressly  
 20 admitted, Defendants deny the allegations of Paragraph 232.

21 233. Paragraph 233 contains statements of law to which no response is required. To the  
 22 extent any response is required, Defendants admit in response to the first sentence of Paragraph  
 23 233 that some courts have construed certain provisions in the Wiretap Act to cover the  
 24 interception of certain types of internet communications but otherwise deny the allegations in the  
 25 first sentence. As to the second sentence of Paragraph 233, Defendants admit that the quoted  
 26 language appears in the document cited in footnote 185 of the FAC but deny that Plaintiffs'  
 27 selective quotations are complete or provide full context and deny Plaintiffs' characterization  
 28 thereof. As to the third sentence of Paragraph 233, Defendants admit that the quoted language

1 appears in the document cited in footnote 186 of the FAC but deny that Plaintiffs' selective  
2 quotations are complete or provide full context and deny Plaintiffs' characterization thereof.  
3 Defendants lack information and knowledge sufficient to admit or deny the fourth sentence of  
4 Paragraph 233 and on that basis deny. As to the fourth sentence of Paragraph 233, Defendants  
5 admit that the quoted language appears in the document cited in footnote 187 of the FAC but  
6 deny that Plaintiffs' selective quotations are complete or provide full context and deny Plaintiffs'  
7 characterization thereof. Defendants respectfully refer the Court to the documents themselves for  
8 their full context and substance. Except as expressly admitted, Defendants deny the allegations  
9 of Paragraph 233 and its footnote(s).

10 234. Paragraph 234 contains statements of law to which no response is required. To the  
11 extent any response is required, Defendants admit that 18 U.S.C. § 2520(a) states "Except as  
12 provided in section 2511(2)(a)(ii), any person whose wire, oral, or electronic communication is  
13 intercepted, disclosed, or intentionally used in violation of this chapter may in a civil action  
14 recover from the person or entity, other than the United States, which engaged in that violation  
15 such relief as may be appropriate." Except as expressly admitted, Defendants deny the  
16 allegations of Paragraph 234.

17 235. Defendants deny the allegations and conclusory characterizations of Paragraph  
18 235. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

19 236. Defendants deny the allegations and conclusory characterizations of Paragraph  
20 236. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

21 237. Defendants deny the allegations and conclusory characterizations of Paragraph  
22 237. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

23 238. Paragraph 238 contains legal conclusions to which no response is required. To the  
24 extent a response is required, Defendants deny the allegations and conclusory characterizations  
25 of Paragraph 238. Defendants affirmatively state that LiveRamp's products and services are  
26 privacy-centric.

27 239. Defendants deny the allegations of Paragraph 239, except that the first and  
28 penultimate sentences of Paragraph 239 contain legal conclusions about a hypothetical situation



1 to which no response is required. To the extent a response is required, Defendants deny the  
2 allegations and conclusory characterizations. Defendants affirmatively state that LiveRamp's  
3 products and services are privacy-centric.

4 240. Defendants deny the allegations and conclusory characterizations of Paragraph  
5 240, except that Defendants admit that the language quoted in footnote 188 of the FAC, which  
6 purports to quote from a document published on LiveRamp's website, appears in the quoted  
7 document. Defendants respectfully refer the Court to the article itself for its full context and  
8 substance. Defendants deny that Plaintiffs' selective quotations are complete or provide full  
9 context and deny Plaintiffs' characterization thereof. Defendants affirmatively state that  
10 LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants  
11 deny the allegations and conclusory characterizations of Paragraph 240 and its footnote(s).

12 241. Paragraph 241 contains one or more legal conclusions as to which no response is  
13 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
14 conclusory characterizations of Paragraph 241. Defendants affirmatively state that LiveRamp's  
15 products and services are privacy-centric. Except as expressly admitted, Defendants deny the  
16 allegations and conclusory characterizations of Paragraph 241.

17 242. Defendants deny the allegations and conclusory characterizations of Paragraph  
18 242. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

19 243. Defendants admit that when users provide email addresses and/or phone numbers  
20 on websites that have deployed ATS.js, in a manner that triggers the ATS.js as configured by  
21 that website, ATS may transform the identifier into a pseudonymous RampID that is stored in an  
22 encrypted identity envelope, and that the encrypted envelope can be used in Real-Time Bidding.  
23 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
24 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
25 Paragraph 243

26 244. Paragraph 244 contains one or more legal conclusions as to which no response is  
27 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
28 vague, and conclusory allegations and characterizations of Paragraph 244. Further, Defendants

1 affirmatively state that individuals have numerous options to opt out of the processing and sale  
2 of personal information (including services that will submit these requests on behalf of the  
3 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
4 how or to what extent information is collected and processed have been widely available.  
5 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
6 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
7 on the law and applicable data category) to the processing and sale of their personally  
8 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
9 consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and  
10 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
11 conclusory characterizations of Paragraph 244.

12 245. Defendants lack knowledge and information sufficient to admit or deny the  
13 conclusions reached by the security researchers referenced in Paragraph 245 and on that basis  
14 deny the allegations and conclusory characterizations of Paragraph 245 and its footnote(s).  
15 Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

16 246. Defendants deny the allegations and conclusory characterizations of Paragraph  
17 246. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

18 247. Paragraph 247 contains legal conclusions to which no response is required. To the  
19 extent any response is necessary, Defendants deny the allegations and conclusory  
20 characterizations of Paragraph 247. Defendants affirmatively state that LiveRamp's products and  
21 services are privacy-centric.

22 248. Paragraph 248 contains one or more legal conclusions to which no response is  
23 required. To the extent any response is necessary, Defendants deny the allegations and  
24 conclusory characterizations of Paragraph 248. Defendants affirmatively state that LiveRamp's  
25 products and services are privacy-centric

26 249. Paragraph 249 contains one or more legal conclusions to which no response is  
27 required. To the extent any response is necessary, Defendants deny the allegations of Paragraph  
28 249.

1           250. Paragraph 250 contains one or more legal conclusions to which no response is  
2 required. To the extent any response is necessary, Defendants deny the allegations of Paragraph  
3 250.

4           251. Paragraph 251 contains one or more legal conclusions to which no response is  
5 required. To the extent a response is necessary, Defendants deny the allegations and conclusory  
6 characterizations of Paragraph 251. Defendants affirmatively state that LiveRamp's products and  
7 services are privacy-centric.

8           252. Defendants deny the allegations and conclusory characterizations of Paragraph  
9 252. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

10          253. Paragraph 253 contains one or more legal conclusions to which no response is  
11 required. To the extent a response is necessary, Defendants deny the allegations and conclusory  
12 characterizations of Paragraph 253. Defendants affirmatively state that LiveRamp's products and  
13 services are privacy-centric.

14          254. Defendants deny the allegations and conclusory characterizations of Paragraph  
15 254. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

16          255. Paragraph 255 contains legal conclusions to which no response is required. To the  
17 extent any response is necessary, Defendants deny the allegations and conclusory  
18 characterizations of Paragraph 255. Defendants expressly deny the implied assertions that  
19 LiveRamp compiles "dossiers" or enriches them with contents of intercepted, or that LiveRamp  
20 uses the contents of intercepted communications to create "profiles" or make those profiles  
21 available through RampIDs or Data Marketplace. Defendants affirmatively state that  
22 LiveRamp's products and services are privacy-centric.

23          256. Paragraph 256 contains statements of law to which no response is required. To the  
24 extent any response is necessary, Defendants deny the allegations and conclusory  
25 characterizations of Paragraph 256. Defendants affirmatively state that LiveRamp's products and  
26 services are privacy-centric.

27          257. Paragraph 257 contains legal conclusions to which no response is required. To the  
28 extent any response is necessary, Defendants deny the allegations and conclusory

1 characterizations of Paragraph 257. Defendants affirmatively state that LiveRamp's products and  
2 services are privacy-centric.

3 258. Paragraph 258 contains legal conclusions to which no response is required. To the  
4 extent any response is necessary, Defendants deny the allegations and conclusory  
5 characterizations of Paragraph 258. Defendants affirmatively state that LiveRamp's products and  
6 services are privacy-centric.

7  
8 **Fifth Cause of Action**  
9 **Unjust Enrichment under California Common Law**  
10 **(on behalf of the United States Class, or in the alternative on behalf of the**  
11 **California Sub-Class)**

12 259. Defendants reincorporate by reference all responses previously made herein.

13 260. Paragraph 260 contains legal conclusions to which no response is required. To the  
14 extent any response is required, Defendants deny the allegations of Paragraph 260.

15 261. Paragraph 261 purports to contain Plaintiffs' claim for relief to which no response  
16 is required. To the extent any response is required, Defendants deny the allegations of Paragraph  
17 261.

18 262. Paragraph 262 contains one or more legal conclusions as to which no response is  
19 required. To the extent a response is deemed necessary, Defendants deny the argumentative,  
20 vague, and conclusory allegations and characterizations of Paragraph 262. Defendants  
21 affirmatively state that individuals have numerous options to opt out of the processing and sale  
22 of personal information (including services that will submit these requests on behalf of the  
23 individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify  
24 how or to what extent information is collected and processed have been widely available.  
25 Defendants further affirmatively state that under the California and Oregon Consumer Privacy  
26 Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending  
27 on the law and applicable data category) to the processing and sale of their personally  
28 identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for  
consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and

1 services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and  
2 conclusory characterizations of Paragraph 262.

3 263. Defendants deny the allegations and conclusory characterizations of Paragraph  
4 263. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

5 264. Paragraph 264 contains one or more legal conclusions as to which no response is  
6 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
7 conclusory characterizations of Paragraph 264. Defendants affirmatively state that LiveRamp's  
8 products and services are privacy-centric.

9 265. Paragraph 265 contains one or more legal conclusions as to which no response is  
10 required. To the extent a response is deemed necessary, Defendants deny the allegations and  
11 conclusory characterizations of Paragraph 265. Defendants affirmatively state that LiveRamp's  
12 products and services are privacy-centric.

13 266. Paragraph 266 contains legal conclusions to which no response is required. To the  
14 extent any response is required, Defendants deny the allegations and conclusory  
15 characterizations of Paragraph 266. Defendants affirmatively state that LiveRamp's products and  
16 services are privacy-centric.

17 267. Paragraph 267 contains legal conclusions to which no response is required. To the  
18 extent any response is required, Defendants deny the allegations and conclusory  
19 characterizations of Paragraph 267. Defendants affirmatively state that LiveRamp's products and  
20 services are privacy-centric.

21 268. Paragraph 268 contains statements of law to which no response is required. To the  
22 extent any response is required, Defendants deny the allegations of Paragraph 268.

23 269. Paragraph 269 contains statements of law to which no response is required. To the  
24 extent any response is required, Defendants admit that the cited comment from the Restatement  
25 (Third) of Restitution and Unjust Enrichment (2011) contains the quoted text. Except as  
26 expressly admitted, Defendants deny the allegations of Paragraph 269.

1           270. Paragraph 270 contains statements of law to which no response is required. To the  
2 extent any response is required, Defendants admit that the cited comment from the Restatement  
3 (Third) of Restitution and Unjust Enrichment (2011) contains the quoted text. Except as  
4 expressly admitted, Defendants deny the allegations of Paragraph 270.

5           271. Paragraph 271 contains statements of law to which no response is required. To the  
6 extent any response is required, Defendants deny the allegations of Paragraph 271.

7           272. Paragraph 272 contains legal conclusions to which no response is required. To the  
8 extent any response is required, Defendants deny the allegations and conclusory  
9 characterizations of Paragraph 272. Defendants affirmatively state that LiveRamp's products and  
10 services are privacy-centric.

11           273. Paragraph 273 contains one or more legal conclusions to which no response is  
12 required. To the extent any response is required, Defendants deny the argumentative, vague, and  
13 conclusory allegations and characterizations of Paragraph 273. Defendants affirmatively state  
14 that individuals have numerous options to opt out of the processing and sale of personal  
15 information (including services that will submit these requests on behalf of the individual) and  
16 that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what  
17 extent information is collected and processed have been widely available. Defendants further  
18 affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of  
19 many other states, consumers have the right to opt-out (or opt-in, depending on the law and  
20 applicable data category) to the processing and sale of their personally identifiable information  
21 and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise  
22 those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-  
23 centric. Except as expressly admitted, Defendants deny the allegations and conclusory  
24 characterizations of Paragraph 273.

25           274. Paragraph 274 contains legal conclusions to which no response is required. To the  
26 extent any response is required, Defendants deny the argumentative, vague, and conclusory  
27 allegations and characterizations of Paragraph 274. Defendants affirmatively state that  
28 individuals have numerous options to opt out of the processing and sale of personal information

(including services that will submit these requests on behalf of the individual) and that, since at least 2018, tools such as browser extensions and plug-ins to modify how or to what extent information is collected and processed have been widely available. Defendants further affirmatively state that under the California and Oregon Consumer Privacy Acts, like those of many other states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data category) to the processing and sale of their personally identifiable information and, in accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except as expressly admitted, Defendants deny the allegations and conclusory characterizations of Paragraph 274.

275. Defendants deny the allegations and conclusory characterizations of Paragraph 275. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

276. Defendants deny the allegations and conclusory characterizations of Paragraph 276. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.

**Sixth Cause of Action**  
**Declaratory Judgment that LiveRamp Wrongfully Accessed, Collected, Stored, Disclosed, Sold, and Otherwise Improperly Used Plaintiffs' Personal Information and Injunctive Relief**  
**(on behalf of all Classes)**

277. No response to Paragraph 277 is required because Plaintiffs' Sixth Cause of Action was dismissed in the Court's Order dated July 18, 2025, Dkt. 60. To the extent any response is required, Defendants deny the allegations of Paragraph 277.

278. No response to Paragraph 278 is required because Plaintiffs' Sixth Cause of Action was dismissed in the Court's Order dated July 18, 2025, Dkt. 60. Further, Paragraph 278 contains one or more legal conclusions as to which no response is required. To the extent any response is required, Defendants deny the argumentative, vague, and conclusory allegations and characterizations of Paragraph 278. Defendants affirmatively state that individuals have numerous options to opt out of the processing and sale of personal information (including services that will submit these requests on behalf of the individual) and that, since at least 2018,



1 tools such as browser extensions and plug-ins to modify how or to what extent information is  
2 collected and processed have been widely available. Defendants further affirmatively state that  
3 under the California and Oregon Consumer Privacy Acts, like those of many other  
4 states, consumers have the right to opt-out (or opt-in, depending on the law and applicable data  
5 category) to the processing and sale of their personally identifiable information and, in  
6 accordance with the laws, LiveRamp provides mechanisms for consumers to exercise those  
7 rights. Defendants affirmatively state that LiveRamp's products and services are privacy-centric.  
8 Except as expressly admitted, Defendants deny the allegations and conclusory characterizations  
9 of Paragraph 278.

10 279. No response to Paragraph 279 is required because Plaintiffs' Sixth Cause of  
11 Action was dismissed in the Court's Order dated July 18, 2025, Dkt. 60. To the extent any  
12 response is required, Paragraph 279 contains legal conclusions to which no response is required.  
13 Defendants affirmatively state that LiveRamp's products and services are privacy-centric. Except  
14 as expressly admitted, Defendants deny the allegations and conclusory characterizations of  
15 Paragraph 279.

16 280. No response to Paragraph 280 is required because Plaintiffs' Sixth Cause of  
17 Action was dismissed in the Court's Order dated July 18, 2025, Dkt. 60. To the extent any  
18 response is required, Defendants deny the allegations of Paragraph 280.

19 **X. PRAYER FOR RELIEF**

20 281. Defendants deny that Plaintiffs are entitled to any of the relief they have requested  
21 in the First Amended Complaint. Whereas, Defendants respectfully request the following relief:  
22  
23  
24  
25  
26  
27  
28

1. That Plaintiffs take nothing by way of their complaint;
2. That no class be certified in this action;
3. That judgment be entered in favor of Defendants, denying Plaintiffs' prayers for relief and claims with prejudice;
4. That Defendants be awarded their costs of suit, including reasonable attorney's fees; and
5. That the Court award Defendants such other and further relief as the Court deems just and proper.

#### **XI. DEMAND FOR JURY TRIAL**

282. Defendants demand a trial by jury of all issues so triable.

#### **XII. AFFIRMATIVE DEFENSES**

283. Defendants assert the following affirmative defenses to Plaintiffs' First Amended Complaint and each claim therein. Defendants also reserve all defenses available under the Federal Rules of Civil Procedure and the laws of the State of California, and any other defenses, at law or in equity, that may now exist or in the future be available based on discovery and further factual investigation in this case. By setting forth these affirmative defenses, Defendants do not assume the burden of proving any fact, issue, or element of a cause of action where such burden properly belongs to Plaintiffs. Nothing herein is intended or shall be construed as an admission that any particular issue or subject matter is relevant to the Plaintiffs' allegations.

As separate and distinct affirmative defenses, Defendants allege as follows:

##### **First Affirmative Defense**

##### **(Consent)**

284. Plaintiffs' and putative class members' claims are barred, in whole or in part, because of users' consent to, or authorization of, Defendants' alleged conduct either by affirmative consent to websites' privacy policies or by their continued use of those websites with actual or constructive notice that the alleged conduct was occurring. The alleged practices at issue in the FAC have been broadly covered and subject to extensive public commentary, as

1 reflected in (among other things) the various news stories, government documents, and other  
2 materials cited throughout the FAC. Yet Plaintiffs and putative class members continued to visit  
3 those websites even though they could have changed their Internet browsing behavior, adjusted  
4 their cookie or privacy settings, exercised their rights under operative privacy statutes (including  
5 their rights to opt-out or delete data), or taken any number of other steps to address their alleged  
6 harm from the alleged conduct. By choosing to visit the relevant websites, Plaintiffs and putative  
7 class members further gave implied consent to the collection of information about their visit in  
8 the manner provided by the website.

9 **Second Affirmative Defense**

10 **(Waiver)**

11 285. Plaintiffs' and putative class members' claims are barred, in whole or in part, by  
12 the doctrine of waiver. Plaintiffs and putative class members visited and continued to visit the  
13 relevant websites knowing that those websites collected information about those visits that was  
14 shared with third parties like Defendants. These alleged practices have been broadly covered and  
15 subject to extensive public commentary, as reflected in (among other things) the various news  
16 stories, government documents, and other materials cited throughout the FAC. Yet Plaintiffs and  
17 putative class members continued to visit those websites even though they could have changed  
18 their Internet browsing behavior, adjusted their cookie or privacy settings, exercised their rights  
19 under operative privacy statutes (including their rights to opt-out or delete data), or taken any  
20 number of other steps to address their alleged harm from the alleged conduct. In so doing,  
21 Plaintiffs and putative class members waived any claims associated with the alleged collection or  
22 use of information about their visits to those websites.

23 **Third Affirmative Defense**

24 **(Laches)**

25 286. Plaintiffs' and putative class members' claims are barred, in whole or in part, by  
26 the doctrine of laches. Plaintiffs and putative class members have used the internet for years,  
27 browsing websites with knowledge that the websites they visited were collecting information  
28 about those visits and sharing that information with third parties like Defendants. The alleged

1 practices at issue in the FAC have been broadly covered and subject to extensive public  
2 commentary, as reflected in (among other things) the various news stories, government  
3 documents, and other materials cited throughout the FAC. Yet Plaintiffs and putative class  
4 members have waited years to take any action on those facts.

5 **Fourth Affirmative Defense**

6 **(Estoppel)**

7 287. Plaintiffs' and putative class members' claims are barred, in whole or in part, by  
8 the doctrine of estoppel. Plaintiffs and putative class members have used the internet for years,  
9 browsing websites with knowledge that the websites they visited were collecting information  
10 about those visits and sharing that information with third parties like Defendants. The alleged  
11 practices at issue in the FAC have been broadly covered and subject to extensive public  
12 commentary, as reflected in (among other things) the various news stories, government  
13 documents, and other materials cited throughout the FAC. Yet Plaintiffs and putative class  
14 members continued to visit those websites even though they could have changed their Internet  
15 browsing behavior, adjusted their cookie or privacy settings, exercised their rights under  
16 operative privacy statutes (including their rights to opt-out or delete data), or taken any number  
17 of other steps to address their alleged harm from the alleged conduct. The operators of those  
18 websites and Defendants reasonably relied on Plaintiffs' and putative class members' behavior to  
19 the extent they engaged in the conduct alleged.

20 **Fifth Affirmative Defense**

21 **(Failure to Mitigate)**

22 288. Plaintiffs' and putative class members' claims are barred, in whole or in part, to  
23 the extent they failed to mitigate damages, if they suffered any. Plaintiffs and putative class  
24 members have used the internet for years, browsing websites with knowledge that the websites  
25 they visited were collecting information about those visits and sharing that information with third  
26 parties like Defendants. The alleged practices at issue in the FAC have been broadly covered and  
27 subject to extensive public commentary, as reflected in (among other things) the various news  
28 stories, government documents, and other materials cited throughout the FAC. Yet Plaintiffs and

putative class members continued to visit those websites even though they could have changed their Internet browsing behavior. Plaintiffs and putative class members could have used any number of tools available to them to prevent the information being collected by these websites of which they complain, including browser plugins that alert them to such data collection and block it.

### **Sixth Affirmative Defense**

#### **(Justification)**

289. To the extent Defendants engaged in any of the acts alleged by Plaintiffs and putative class members, Defendants were justified in doing so because Plaintiffs and putative class members visited the websites at issue and requested to experience those websites in the way they were programmed with all of the benefits that come with that. One of those benefits is that the website would share information about the visit in a way that would allow the website to improve its functionality and enable users to be shown ads and marketing that were of greater value to users than the ads and marketing they would have otherwise experienced. Another benefit is that users received free access to ad-support content on the websites that users otherwise would have needed to pay to access. Plaintiffs and putative class members could not have experienced this benefit unless certain details about their visit were shared with Defendants.

### **Seventh Affirmative Defense**

#### **(Section 230 of the Communications Decency Act)**

290. Plaintiffs' and putative class members' claims are barred, in whole or in part, by the Communications Decency Act, 47 U.S.C. § 230(c)(1). Courts interpret Section 230 as barring "a panoply of torts," including invasion of privacy. *Asia Econ. Inst. v. Xcentric Ventures LLC*, 2011 WL 2469822, at \*7 (C.D. Cal. May 4, 2011). Section 230 immunity applies if (1) the defendant is a provider of an "interactive computer service," and (2) the claim seeks to hold the defendant liable as a "publisher or speaker" of (3) content provided by someone else. *Dyroff v. Ultimate Software Grp., Inc.*, 934 F.3d 1093, 1097 (9th Cir. 2019). Defendants are providers of an interactive computer service. Thus, to the extent Plaintiffs' and the putative class members' claims seek to hold Defendants liable as a speaker or publisher of content provided by someone

1 else—including the contents or descriptions of segments sold by third parties on Data  
 2 Marketplace or through other means—Section 230 bars those claims. Section 230 likewise bars  
 3 any claim that seeks to hold Defendants liable for the representations made by the relevant  
 4 websites visited by Plaintiffs and putative class members, including representations about what  
 5 information was or was not collected about Plaintiffs’ and putative class members’ visits to those  
 6 websites.

### 7 **Eighth Affirmative Defense**

#### 8 **(Protected Activity)**

9 291. Plaintiffs’ and putative class members’ claims are barred, in whole or in part,  
 10 because they seek to hold Defendants liable for engaging in protected activity under the First  
 11 Amendment to the United States Constitution and similar provisions of state constitutions,  
 12 including under Article I, Section 2 of the California Constitution, including the creation and  
 13 dissemination of information. *See, e.g., Sorrell v. IMS Health Inc.*, 564 U.S. 552, 570 (2011)  
 14 (“This Court has held that the creation and dissemination of information are speech within the  
 15 meaning of the First Amendment.”). The Supreme Court has explained, for instance, that  
 16 because “[f]acts ... are the beginning point” for speech, “[t]here is ... a strong argument that  
 17 [identifying information collected from pharmaceutical records] is speech for First Amendment  
 18 purposes.” *Id.*

### 19 **Ninth Affirmative Defense**

#### 20 **(Standing)**

21 292. Plaintiffs’ and putative class members’ claims are barred, in whole or in part, for  
 22 lack of standing under Article III of the United States Constitution and lack of statutory standing  
 23 under Cal. Penal Code § 637.2(a) and 18 U.S.C. § 2520. Among other defects, neither the  
 24 Plaintiffs nor members of the putative class have suffered “an injury in fact that is concrete,  
 25 particularized, and actual or imminent ....” *TransUnion LLC v. Ramirez*, 594 U.S. 413, 423  
 26 (2021). Nor have Plaintiffs been “injured” by any alleged violation of CIPA. *Cf.* Cal. Penal Code  
 27 § 637.2(a).

### 28 **Tenth Affirmative Defense**

**(Eighth Amendment)**

293. Plaintiffs' and putative class members' claims are barred, in whole or in part, to the extent they seek excessive damages in violation of the Eighth Amendment of the United States Constitution, which prohibits excessive fines and cruel and unusual punishment. CIPA imposes a \$5,000 penalty for each violation of the statute. Plaintiffs purport to represent a class of millions of Americans. To the extent Plaintiffs and putative class members seek \$5,000 for each website visit, those damages are excessive and violate Defendants' Eighth Amendment rights. ECPA imposes a penalty of the greater of \$100 a day for each day of violation or \$10,000. Plaintiffs purport to represent a class of millions of Americans. To the extent Plaintiffs and putative class members seek \$10,000 for each member of the putative class or \$100 for each day of violation for each member, those damages are excessive and violate Defendants' Eighth Amendment rights.

**Eleventh Affirmative Defense**

**(Due Process)**

294. Plaintiffs' and putative class members' claims are barred, in whole or in part, to the extent they seek excessive and unconstitutional damages in violation of the Due Process Clause of the Fourteenth Amendment and the Due Process Clause of the Fifth Amendment to the United States Constitution. CIPA imposes a \$5,000 penalty for each violation of the statute. Plaintiffs purport to represent a class of millions of Americans. To the extent Plaintiffs and putative class members seek \$5,000 for each member of the putative class or for each website visit, those damages are excessive and violate Defendants' right to due process. ECPA imposes a penalty of the greater of \$100 a day for each day of violation or \$10,000. Plaintiffs purport to represent a class of millions of Americans. To the extent Plaintiffs and putative class members seek \$10,000 for each member of the putative class or \$100 for each day of violation for each member, those damages are excessive and violate Defendants' right to due process.

**Twelfth Affirmative Defense**

**(Damages Not Appropriate)**



295. Plaintiffs' and putative class members' claims are barred, in whole or in part, to the extent they seek statutory damages because such damages are not appropriate in the circumstances alleged in the FAC. Even if the jury finds liability, the Court will have discretion to decline to award statutory damages under ECPA and CIPA. When exercising that discretion, courts weigh several factors. *E.g., Campbell v. Facebook Inc.*, 315 F.R.D. 250, 268 (N.D. Cal. 2016). Plaintiffs will not be able to prove those factors weigh in favor of an award of statutory damages.

### **Thirteenth Affirmative Defense**

#### **(Lack of Harm)**

296. Plaintiffs' and putative class members' claims are barred, in whole or in part, because Plaintiffs and putative class members have not sustained any losses, damages, or harm, in any sum or amount whatsoever, as a result of the conduct alleged in the FAC.

### **Fourteenth Affirmative Defense**

#### **(Dormant Commerce Clause)**

297. Plaintiffs' and putative class members' claims are barred, in whole or in part, because they seek to impose an excessive burden on interstate commerce in violation of the by the dormant Commerce Clause. Among other things, Plaintiffs' claims under California tort law, the California Constitution, and CIPA purport to regulate a wide range of conduct, including, potentially, conduct occurring entirely outside the borders of California, in violation of the dormant Commerce Clause's restrictions on extraterritoriality.

### **Fifteenth Affirmative Defense**

#### **(Extraterritoriality)**

298. Plaintiffs' and putative class members' claims are barred, in whole or in part, because California law does not apply to Plaintiff Sturgeon or to any Plaintiff or putative class members who do not reside in California at the time of the conduct on which Plaintiffs base their claims.

### **Sixteenth Affirmative Defense**

#### **(Statute of Limitations)**

299. Plaintiffs' and putative class members' claims are barred, in whole or in part, by applicable statutes of limitation. The statute of limitations for a CIPA violation is one year. The statute of limitations for constitutional privacy, intrusion upon seclusion, or an ECPA violation is two years. The Class Period is not limited in time. Thus, Plaintiffs and putative class members who visited the websites more than one to two years ago have untimely claims.

**Seventeenth Affirmative Defense**

**(Plaintiffs' Unjust Enrichment Claim Is Derivative)**

300. To the extent Plaintiffs and putative class members assert theories of relief based on principles of unjust enrichment, those claims are barred, in whole or in part, as entirely derivative of Plaintiffs' other, legally deficient claims.

**Eighteenth Affirmative Defense**

**(Defendants' Software Not a Pen Register)**

301. Plaintiffs' and putative class members' CIPA claim is barred because Defendants' alleged software is not a "pen register" under the meaning of CIPA, Cal. Penal Code § 638.51(a). To construe the term to include commercial software tools used for ad delivery would be contrary to the legislature's intended purpose and would produce absurd results.

**Nineteenth Affirmative Defense**

**(Unclean Hands)**

302. Plaintiffs' and putative class members' claims are barred, in whole or in part, by the doctrine of unclean hands.

**Twentieth Affirmative Defense**

**(Class Action Requirements Not Met)**

303. Plaintiffs cannot properly bring this case as a class action under Federal Rule of Civil Procedure 23 because Plaintiffs cannot satisfy its requirements. Individual questions of fact and law predominate over common questions, Plaintiffs are not an adequate class representatives, their claims are not typical of those belonging to the alleged class members, and other class requirements cannot be satisfied, among other reasons.

**Twenty-First Affirmative Defense**

**(Permissible Use of Pen Register)**

304. To the extent any of Defendants’ alleged software is deemed to be a “pen register” under the meaning of CIPA, Cal. Penal Code § 638.51(a), Plaintiffs’ and putative class members’ CIPA pen register claim is nonetheless barred because Defendants’ use of the alleged pen register complied with applicable law. California Penal Code section 368.51(b) states that “[a] provider of electronic or wire communication service may use a pen register or a trap and trace device” for any of a number of purposes enumerated in that provision. Cal. Penal Code § 638.51(b). LiveRamp is a provider of an electronic communication service, and thus it is entitled to use pen registers with the consent of the user, to “operate, maintain, and test” its service, and to protect users “from abuse of service or unlawful use of service,” among other reasons. Any of these provisions or other provisions could be applicable depending on the specific factual and legal theory that Plaintiffs advance to support their pen register claim.

**Reservation of Rights**

305. Defendants reserve the right to assert additional defenses in the event that discovery or further investigation demonstrates that any such defense is appropriate or applicable.

Dated: August 15, 2025

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